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GOVERNMENT OF GOA

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SUPPLEMENT

GOVERNMENT OF GOA

Department of Law & Judiciary

Law (Establishment) Division

Notification

14-12-2022-LD(Estt.)/77

The Notification No. Rule/P. 1603/2022 dated 04-01-2023 which have been issued by the High Court of Judicature at Bombay, Appellate Side, is hereby published for general information of the public.

By order and in the name of the Governor of Goa.

Amir Y. Parab, Under Secretary (Estt.) Law.
Porvorim, 12th January, 2023.

HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

Notification

No. Rule/P. 1603/2022.— The Hon'ble the Chief Justice and the Judges of the High Court of Judicature at Bombay in exercise of powers conferred under Article 225 and 227 of the Constitution of India and all other enabling provisions in that behalf are pleased to make the following rules which shall be applicable to the High Court of Judicature at Bombay, its

Benches at Nagpur and Aurangabad and High Court of Bombay at Goa, and the District Courts and Tribunals under the control and supervision of the High Court of Bombay.

Short title, applicability and commencement.— These Rules shall be called "e-Filing Rules of the High Court of Bombay 2022". They shall apply to the High Court of Judicature at Bombay, its Benches at Nagpur and Aurangabad and High Court of Bombay at Goa, and the District Courts and Tribunals under the control and supervision of the High Court of Bombay.

These Rules shall come into force from the date of Notification.

1. *Preface.*— These Rules shall apply to on-line e-filing and e-filing through Designated Counters and facilities provided for e-filing, including e-Seva Kendras. The rules shall apply to such categories of cases as would be notified by the High Court. These Rules amend and consolidate the existing Rules and Practice Directions.

2. *Definitions.*—

2.1 *Action:* Includes all proceedings instituted in the Court such as suits, criminal complaints, appeals, civil or criminal writ petitions, revision petitions, contempt petitions, execution petitions,

arbitration petitions, probate cases and interlocutory applications.

2.2 Administrator: Means the Registrar (IT) or an officer appointed by the Chief Justice for administering and dealing with matters connected with or relating to e-filing.

2.3 Bench: Means and includes one or more Judges assigned to adjudicate upon Actions or the presiding officer of the Court or Tribunal as the case may be.

2.4 Physical Filing: Means Actions and pleadings filed as hard copies.

2.5 Designated Counters: Means and includes those counters which find mention in Appendix-I and those that may be included or excluded from Appendix-I from time to time.

2.6 District Courts: Means and includes the courts established and functioning under the control and supervision of the High Court.

2.7 Electronic Filing (e-filing): Means e-filing as prescribed through the Internet (at the web portal of the Court) and through the internet/intranet at Designated Counters, unless the context requires otherwise.

2.8 Evidence: Means and includes evidence as defined under the Indian Evidence Act, 1872.

2.9 High Court: High Court means the High Court of Judicature at Bombay, its Benches at Nagpur and Aurangabad and High Court of Bombay at Goa, Panaji-Goa.

2.10 Objections: Means and includes deficiencies and errors pointed out by the Registry in relation to the Actions instituted in the Court.

2.11 Opposite Party: Means defendant(s), respondents, judgment debtor(s) and non applicant(s).

2.12 Party: Means appellant(s), plaintiff(s), petitioner(s), complainant(s) and applicant(s).

2.13 Pleadings: Means pleadings filed in support or defence of an Action including

affidavits, additional affidavits and supplementary affidavits.

2.14 PDF: Means an electronic document filed in a portable document format.

2.15 PDF/A: Means an ISO-standardized version of the Portable Document Format (PDF) specialized for the digital preservation of electronic documents.

2.16 Registry: Means the Registry of the Court.

2.17 Statement of Defence: Means and includes written statements, replies, counter-affidavits and additional or supplementary affidavits.

2.18 Technical failure: Means a failure of the court's hardware, software, and/or telecommunications facility which results in the impossibility of submitting a file electronically. Technical failure does not include malfunctioning of the equipment of the person submitting an e-file.

2.19 Third Party: Means and includes any person or entity seeking to become a party or to intervene in an Action.

2.20 Working Day: Means and includes a day when the Registry of the Court is working under the Calendar published or as directed by the Court.

2.21 Tribunal: Means and includes all Tribunals under the control and supervision of the High Court.

3. General Instructions.—

3.1 On-line e-filing shall be made by visiting the prevailing web portal of the Court for the purpose of e-filing.

3.2 Except as provided in these Rules, Actions, whether in fresh, pending or disposed of cases, will be filed electronically by an advocate or litigant in person from their home, office or other remote location in the manner provided in these Rules.

3.3 Any person who is unable to access the e-filing portal would be entitled to make use of the facilities provided at the Designated

Counters for that purpose upon payment of charges if stipulated.

3.4 Maximum size of the file shall be specified and revised from time to time by issuing practice directions.

4. *Steps for Registration.*—

4.1 Persons other than Advocates and litigants in person who are already registered on the Court web portal will take the following steps to register themselves.

(i) *Advocates:*

(a) Should visit the prevailing web portal to view the form.

(i) For E-filing portal version 2.0 (<https://efiling.ecourts.gov.in/>)

(ii) For E-filing portal version 3.0 (<https://filing.ecourts.gov.in/pdedev>)

(b) Click the registration link.

(c) Fill the form with requisite details.

(d) Submit the filled-up form along with a self-attested copy of the Bar Council Registration Certificate or Bar Council I-card (in PDF format only).

(ii) *Litigants in person:*

(a) Should visit the prevailing web portal to view the form.

(i) For E-filing portal version 2.0 (<https://efiling.ecourts.gov.in/>).

(ii) For E-filing portal version 3.0 (<https://filing.ecourts.gov.in/pdedev>).

(b) Click the registration link.

(c) Fill the form with requisite details.

(d) Submit the filled-up form along with the self-attested copy of any identity document issued by the Government (in PDF format only).

4.2 Litigants-in-person shall submit an affidavit/undertaking that they have not engaged an Advocate in the Action. A litigant in person who subsequently engages an Advocate, shall make an application before the Administrator for transferring the data in respect of the Action to the Advocate's

account in. Once the Administrator allows the application, the data in the Action shall be transferred in the user account of the Advocate. The litigant in person will not be in a position to modify the data of the subject Action, without the permission of the Administrator.

4.3 A login ID will be allotted on the next working day if the application is found complete in all respects. The procedure for registration is set out in the prevailing e-filing web portal as per Appendix-II.

5. *Frame of Pleadings:*

The pleadings should be clear and concise. Parties and third parties should set forth their claims/averments in separate paragraphs. The statement of truth/affidavit of the concerned person must bear their signature. Opposite parties should also file their replies under sequentially numbered paragraphs and headings (such as Preliminary Objections and Objections on Merits).

Wherever verification and attestation under oath is done before Notary Public, the scanned page shall be uploaded keeping the original in custody.

Citations shall not form part of the pleadings or annexure, unless citation is relevant subject matter of the lis. Citations shall be separately filed as and when necessary.

Scrutiny and compliance with objections in any pleading e-filing shall only be by online mode only. If interaction is inevitable in such cases virtual counters with video linkage facility shall be used as and when activated.

6. *Formatting:*

6.1 All the original typed text material including notice of motion, memorandum of parties, main petition or appeal, interlocutory application(s), reply, status report, affidavit, documents, will be prepared electronically using the following formatting:

Style:

- Paper size: A-4
- Top Margin: 1.5"
- Bottom Margin: 1.5"

- Left Margin: 1.75"
- Right Margin: 1.0"
- Alignment: Justified
- Font: Times New Roman
- Font size: 14
- Line spacing: 1.5
- If any document is typed in a local language in Trial Courts, it must be prepared using xxx Unicode Font 14

The High Court may issue notification/circular/practice note defining sequence and chronology of documents and manner of pagination, manner of filing amendment for e-filing purposes for District Court and High Court.

6.2 The document should be converted into Optical Character Recognition (OCR) searchable Portable Document Format (PDF) or PDF/A using any PDF converter or in-built PDF conversion plug-in provided in the software. PDF/A is the preferred format.

6.3 A document which is not a text document and has to be enclosed with the Action, should be scanned using an image resolution of 300 DPI (Dots Per Inch) in OCR searchable mode and saved as a PDF document. The procedure for converting a document into an OCR searchable PDF as mentioned above and as required in clause 8.1 is set out in Appendix – III.

7. *Digital Signatures.*—

7.1 The PDF document shall be digitally signed either by the parties and/or by their Advocate. The digital signatures shall be appended on such places on the PDF document as prescribed under the extant rules. If neither the party nor the Advocate who has been engaged possess a digital signature, a print out of the Action shall be physically signed by the party concerned and/or their Advocate in accordance with rules and it shall thereafter be scanned and uploaded.

7.2 A list of recognized Digital Signature Providers and the procedure involved in appending single or multiple signatures is set out in Appendix – IV.

7.3 A litigant in person or advocate who does not possess a digital signature issued by the competent authority can authenticate e-filed documents by e-Sign based on Aadhaar authentication.

8. *Dos and Don't's.*—

8.1 The text documents and scanned documents set out in clauses 6.3 and 7.1 should be merged as a single OCR searchable PDF file and should be book-marked as per the Master Index, duly approved by the Registry. The procedure in this behalf is set out in Appendix-V.

8.2 The merged documents should be uploaded at the time of on-line e-filing. Screenshots of the manner of accessing the on-line e-filing portal and for the filing of the main case and documents including written statements, replies, replications, rejoinders, affidavits and evidence in a pending case are set out in Appendix-I.

8.3 Once e-filing is accepted, the filing or registration number shall be notified to the Advocate or litigant in person.

8.4 In so far as evidence in the form of an electronic record, such as audio and/or video files, which are to be filed in the High Court as set out in APPENDIX –VII shall be followed. As and when this facility is made available for District Courts, the procedure to be followed will be notified by the Administrator.

8.5 Special Characters are not allowed while e-filing Memo of Parties and Advocate remarks.

8.6 Document Binary File Name Standards

The following special characters are not allowed in a file name:

- A quotation mark (")
- A number sign/Pound (#)
- Per cent (%)
- Ampersand (&)
- Asterisk (*)
- Colon (:)

- Angle brackets (less than, greater than) (<>)
- A question mark (?)
- Backslash (\)
- Forward slash (/)
- Braces (left and right) ({ })
- Pipe (|)
- A tilde (~)
- The period (.) character used consecutively in the middle of the file name or at the beginning or end of the file name.

File names should not exceed 45 characters in length, including spaces. Single space must be counted as one character each.

8.7 On-line e-filing shall not be watermarked or encrypted. The e-filed documents shall not contain any virus, malware, spam-ware, trojan horse or the like. All the e-filed documents shall be legible and free of markings, track changes or annotations.

8.8 As far as possible the PDF file may be flattened free of embedded images, videos, GIF, PDF form fields and Java script elements.

9. *Payment of Court Fees/Other Charges.*—

Court fee and other charges can be paid either electronically by purchase on the on-line facility provided by the authorised agency or from the Designated Counters provided for the purpose in the High Court and District Courts or from any authorized court fee vendor. The Transaction ID provided upon payment of court fee and other charges is required to be entered in the appropriate field at the time of on-line e-filing.

10. *Retention of Originals.*—

10.1 Originals of the documents, certified copies that are scanned and digitally signed by the Registrant(s) at the time of e-filing should be preserved for production or inspection as may be required by a Registrant, Registry or Bench for verification or removal of doubts.

10.2 The registry may make use of virtual counters with video linkage for quick verification any scanned or typed document e-filed cases.

10.3 The signed vakalatnama, signed and notarized/attested affidavit and any other document whose authenticity is likely to be questioned should be preserved, at least, for two years till after the final disposal of the Action. Final disposal shall include disposal of the Action by the superior appellate court.

10.4 Notwithstanding anything above, the following documents will have to be preserved permanently:—

(a) A Negotiable Instrument (other than a cheque) as defined in Section 13 of The Negotiable Instruments Act, 1881 (26 of 1881).

(b) A Power-of-Attorney as defined in section 1A of the Powers-of-Attorney Act, 1882 (7 of 1882).

(c) A Deed as defined in Section 3 of The Indian Trusts Act, 1882 (2 of 1882).

(d) A Will as defined in Clause (h) of Section 2 of The Indian Succession Act, 1925 (39 of 1925) including any other testamentary disposition by whatever name called.

(e) Any contract for the sale or conveyance of immovable property or any interest in such property.

(f) Any other document as may be directed by the Bench.

10.5 The responsibility of producing the originals and proving their genuineness shall be of the party that has electronically filed scanned copies of the document.

11. *Access to the Electronic Data of the Action.*—

Free of cost access will be available to authorized person(s) to data e-filed by any of the parties to the specific Action, as is presently being provided in pending Actions.

This facility shall be in addition to the procedure of obtaining certified copies.

12. *Exemption from e-filing.*—

Exemption from on-line e-filing of the entire pleading or a part of the pleadings and/or documents may be permitted by the Bench upon an application being made for that purpose in the following circumstances:

- (i) where on-line e-filing is for reasons set out in the application not feasible; or
- (ii) where there are concerns about confidentiality and protection of privacy; or
- (iii) where the document cannot be scanned or filed electronically because of its size, shape or condition; or
- (iv) where the on-line e-filing portal is either inaccessible or not available for some reason; and/or
- (v) for a just and sufficient cause.

13. *Service of Electronic Documents.*—

In addition to the prescribed mode of service, notices, documents, pleadings that are filed electronically may also be served through the designated e-mail IDs of Registry officials to the e-mail address of the advocates or parties, if available. E-mail IDs of Registry officials will be published on the Court website to enable the recipients to verify the source of the e-mail.

In all cases if the respondent is not registered in CIS and no email ID is disclosed, a party cannot be compelled to accept service in digitised form. In such case, the Registrant shall serve the respondent with physical copies of the pleadings in addition to offering a soft copy.

The registry may send soft copies of petition from the dedicated mail address along with copy of notice/writ to the Court below with verification mechanism to ensure integrity of the dispatched soft copies. If

required, soft copies shall be printed at Court effecting service whereupon addressee court shall affix its seal on the notice/writ so received and shall serve copies on the respondents/noticees. Copy of report of service shall be uploaded as reply to the e-mail forwarding notices/writs which, unless required, shall be treated as sufficient proof of service without requirement of physically signed hard copy of report of service.

14. *Computation of Time.*—

14.1 Wherever limitation/time limits apply, it will be the responsibility of the party concerned to ensure that the filing is carried out well before the cut-off date and time. The date of e-filing will be taken as that date when the Action is electronically received in the Registry within the prescribed time on any working day. For computing the time at which e-filing is made, Indian Standard Time (IST) will apply.

14.2 E-filing through Designated Counters will be permissible up to 16.00 hours on any court working day. On-line e-filing carried out after working hours on any day, will be treated as the date which follows the actual filing date provided it is a court working day. Actions filed on a day declared as gazetted holiday or on a day when the court is closed, will be regarded as having been filed on the next working day. For the computation of limitation, on-line e-filing shall be subject to the same legal regime as applicable to physical filing, save and except as provided herein above.

14.3 The facility for on-line e-filing through the web portal shall be available during all twenty-four hours of each day, subject to breakdown, server downtime, system maintenance or such other exigencies. Where on-line e-filing is not possible for any of the reasons set out above, parties can either approach the Designated Counters for e-filing

during working hours on court working days or take recourse to physical filing. No exemption from limitation shall be permitted on the ground of a failure of the web based on-line e-filing facility.

14.4 Provisions for limitation governing on-line e-filing will be the same as those applicable to physical filing. The period of limitation for such actions will commence from the date when e-filing is made as per the procedure prescribed in these Rules.

15. Procedure for Filing Caveat.—

All caveats can be filed on-line. The procedure for this purpose is set out in Appendix-VI.

16. Hard Copies of Pleadings and Documents filed Electronically.—

Advocates, as well as parties, may print hard copies of all pleadings and documents filed electronically for their use in the court or elsewhere. The Registry will wherever required prepare hard copies for official use.

17. These Rules are not in derogation to the provisions of any substantive or procedural law applicable for disposal of proceedings by the courts.

18. Storage and Retrieval of e-Filed Documents and Pleadings.—

E-filings will be stored on an exclusive server maintained under the control and directions of the Court. Each such filing will be separately labelled and encrypted for facilitate easy identification and retrieval. The security of such filings will be ensured. Access to e-filings would be restricted in the manner provided herein above and as may be notified from time to time. For continuity of operations in case of disaster, natural calamity or breakdown, a mirror image of e-

filings available on the servers located in the Court may be maintained at different geographical locations, as decided from time to time by the High Court/e-Committee.

Provided for marking electronic records as exhibits in the course of the trial, the protocol set out in Appendix VIII shall be followed qua the Actions instituted in the High Court. As regards the District Court, as and when the application is made available, the relevant procedure to be followed shall be notified by the Administrator. However, the mere assigning of a unique number to the electronic record will not amount to the authentication or proof of such electronic record. Nothing in these rules shall be construed as dispensing with the proof of the electronic record as required under the law.

19.1 Residuary provisions.—

19.1 The e-filing made by an Advocate/litigant in person will be rejected if they do not follow the protocol mandated by these Rules or practice directions.

19.2 Subject to such further directions as may be issued, it would not be obligatory on the part of the opposite party to accept pleadings and documents by email. In such an eventuality, hard copies of pleadings and documents will have to be provided to the opposite party. In such circumstances, the plaintiff/petitioner can be called upon to deposit the charges calculated on the basis of the number of pages per defendant/respondent which are required to be photocopied. This facility will be provided by the Registry on a written request being made by the defendant(s)/respondent(s).

19.3 The Registry will communicate the objections, if any, regarding the cases filed by email/SMS/web hosting to the concerned Advocate/litigant in person. After the

objections are cleared the case will be processed for listing and the Advocate/litigant in person will be informed including by email/SMS.

20. General Caution.—

Email is not a secure medium of communication. Any communication transmitted by email can be intercepted or read by a third party. An Advocate or litigant in person seeking to transmit confidential or sensitive document/material, shall approach the Registry for requisite assistance/advice.

21. The Chief Justice may issue practice directions as warranted from time to time in respect of the Rules.

Appendices

APPENDIX – I	Screenshots showing the procedure for accessing the on-line portal, electronic filing of documents and list of Designated Counters.
APPENDIX – II	Screenshots showing the procedure for registration.
APPENDIX – III	Screenshots showing the procedure for converting a document into an OCR searchable PDF.
APPENDIX – IV	Screenshots showing the procedure for appending single or multiple digital signatures.
APPENDIX – V	Screenshots showing the procedure for book-marking.
APPENDIX – VI	Screenshots showing the procedure for filing Caveat.
APPENDIX – VII	Procedure for filing of all evidence in the form of an electronic record, such as audio and/or video files, etc.
APPENDIX – VIII	Protocol for marking of electronic records as exhibits in the course of trial.

HIGH COURT OF JUDICATURE
AT BOMBAY

Date: 4th January, 2023.

R. N. Joshi,
Registrar General.

APPENDIX.

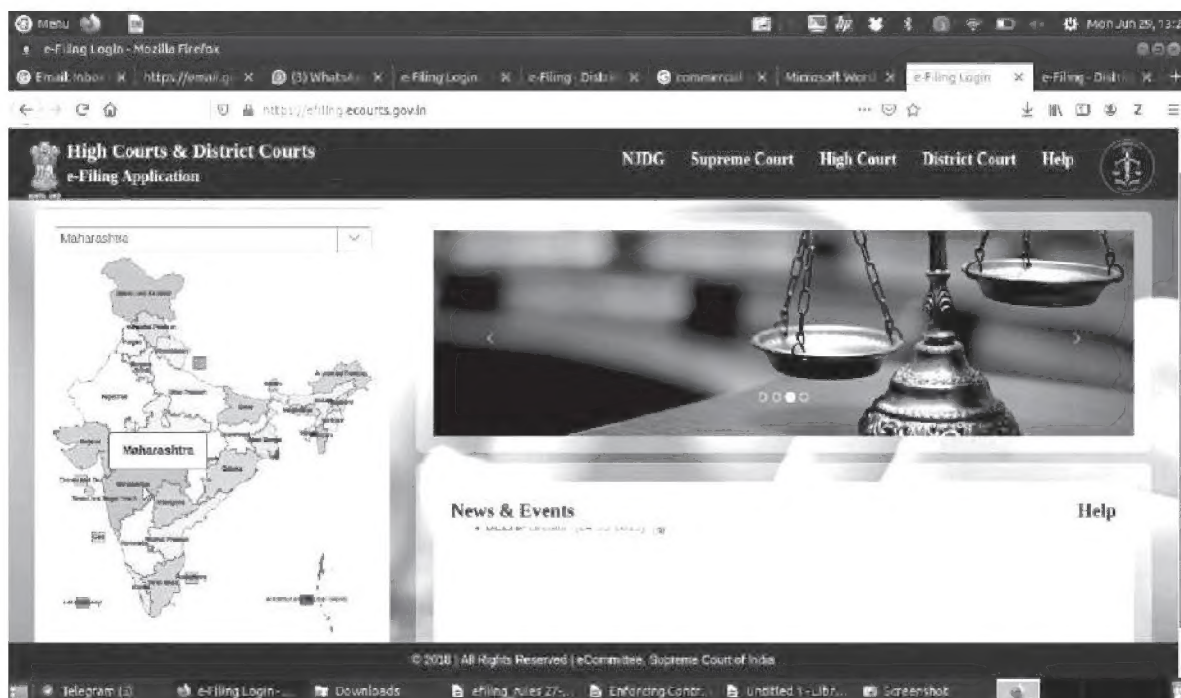
APPENDIX – I

For E-filing portal version 2.0 (<https://efiling.ecourts.gov.in/>) (Applicable to High court at Bombay and its benches at Nagpur, Aurangabad and Bombay High Court at Goa and District Courts and Taluka Courts at Diu, Daman, Silvassa)

Screenshots showing the procedure for accessing the online portal, electronic filing of documents and list of Designated Counters.

1 : Accessing the Online Portal

- Visit **<https://efiling.ecourts.gov.in/>** to access e-filing portal.
- Select the State from the dropdown list or from the interactive map of India.



- The login window as shown in the following picture will appear. **Enter the User ID and Password.**
- For Registration of new Advocate or Party in Person, click on **“Register”**

NEAR National E-filing and Advocate Repository

FEEDBACK HOME HELP NJDG SUPREME COURT HIGH COURT DISTRICT COURT CONTACT US

**MAHARASHTRA STATE
NEAR - HIGH COURTS**

- e-Filing login is only for registered advocates and litigants.
- Registration requires verification and approval.
- Cases, Pleadings and Documents can be e-Filled in High Courts and District Courts.
- Interlocutory applications, reply, written statement, etc. can be e Filed.
- The cases can be saved and easily managed through management suit for court cases.
- Any case across the country can be searched, saved and managed.
- This facility can also be used for managing the cases already filed through physical mode.

NEAR National E-filing and Advocate Repository

Login

goswamiyashwant@gmail.com

.....

1 2 3 4 5 6 7 8 9 10

Captcha

LOG IN

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- After logging in to e-filing portal, the Dashboard of the Advocate appears as shown the following picture.

**MAHARASHTRA STATE
NEAR - HIGH COURTS**

HOME E-FILE CALENDAR REPORT ASSISTANCE

GOSWAMI YASHWANT ANAND

eFile Status (Before Acceptance by Court)

Note : e-filing numbers at 'Draft', 'For Compliance', 'Defective' stages will be available for your action upto maximum 30 days, after that these numbers will be trashed automatically and files (PDF) uploaded in those numbers will be deleted permanently.

Stages	Count
Draft	5
Pending Approval	0
For Compliance	0
Pending Scrutiny	0
Defective	0
Rejected	0
Trashed	0

eFile Status (After Acceptance by Court)

Stages	Count
Cases	0
Documents	0
Defect Fee	0
Caveat	0

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2. Filing Miscellaneous Documents through e-filing

1. Select Misc. Docs option

MAHARASHTRA STATE
NEAR - HIGH COURTS

HOME E-FILE CALENDAR REPORT ASSISTANCE

GOSWAMI YASHWANTANAND

NEW CASE MISCELLANEOUS DOCS PAY DEFICIT FEE CAVEAT

Note: e-filing numbers at Draft, For Compliance, Defective stages will be available for your action upto maximum 30 days, after that these numbers will be trashed automatically and files (PDF) uploaded in these numbers will be deleted permanently

Stages	Count
Draft	5
Pending Approval	0
For Compliance	0
Pending Scrutiny	0
Defective	0
Rejected	0
Trashed	0

Click on E-FILE

1. To file new case click on New Case

2. To file documents or Vakalatnama or response

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2. Select Bench

MAHARASHTRA STATE
NEAR - HIGH COURTS

HOME E-FILE CALENDAR REPORT ASSISTANCE

GOSWAMI YASHWANTANAND

NEW CASE MISCELLANEOUS DOCS PAY DEFICIT FEE CAVEAT

NOTE: Complete details related to case, whichever is provided in paperbook, are mandatory to be filled in at the time of e-filing of a case. Entry of Name, Address, Age and Relation of Petitioner/Respondent should be same as provided in Cause Title (Memo of Party). Details of Extra Petitioner(s)/Respondent(s) are required to be entered in tab 'Extra Party' and it should be same as provided in Cause Title (Memo of Party).

☐ MY COURTS ☒ HIGH COURT

High Court: PRINCIPAL BENCH BOMBAY - APPELLATE SIDE

Copy data from previous e-filing case.

Submit Reset Click Submit

Select Bench

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3. Enter Case in which documents are to be filed

MAHARASHTRA STATE
NEAR - HIGH COURTS

HOME FILE CALENDAR REPORT ASSISTANCE

GOSWAMI YASHWANT ANAND

Miscellaneous Docs : Where to file

My Courts: ☒ MY COURTS ☐ HIGH COURT

My Courts: PRINCIPAL BENCH BOMBAY - APPELLATE SIDE HIGH COURT

File In: ☐ CNR Number ☒ Case Number

Case Type: Select Case Type

Case Number: 100

CAV(CIVIL APPLICATION IN WP)
RPW(REVIEW PETN IN WP)
SAMP(COR. SUD MOTU WRIT PETITION)
SAMP(SUD MOTU WRIT PETITION)
WPCR WRIT PETITION
Unspecified Petitioning

To file documents or reply

1. Select CNR or Case Number

2. Enter CNR or select Case Type, Case Number and Year

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4. Verify Correctness of Case

MAHARASHTRA STATE
NEAR - HIGH COURTS

HOME FILE CALENDAR REPORT ASSISTANCE

GOSWAMI YASHWANT ANAND

Searched CNR (Case Record Number) Details

CNR No. : HCBMD1-001219-2020

Filing Date : 10-01-2020

Filing No / Filing Year : 554 / 2020

Petitioner/Complainant : AARTIANANT SALVI

Respondent/Accused : THE STATE OF MAHARASHTRA AND ORS

Case Type : WP - WRIT PETITION

Registration Date : 13-01-2021

Registration No. / Registration Year : 123 / 2021

First Listed On : N/A

Last Listed On : N/A

Purpose was :

Next Listing On : 19-01-2021

Extra Petitioner :

Extra Respondent : MAHARASHTRA WATER RESOURCES REGULATORY AUTHORITY (MWRRA)

Is this the in which you want to file Miscellaneous Docs ?

☐ YES ☐ NO ☐ Refresh Case Details

If the details shown matches the case in which documents are to be filed Select "Yes" and the click Submit.

Submit

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5. Select party for whom documents are being filed.

MAHARASHTRA STATE
NEAR - HIGH COURTS

HOME E-FILE CALENDAR REPORT ASSISTANCE

LOGGED IN AS: SUDHAKAR YASHWANT AMARJI

Active Done Optional Required

E-File Miscellaneous Documents

PRINCIPAL BENCH BOMBAY - APPELLATE SIDE (HCSM01)

eFiling No: ED-MCSM01-48453-2022 eFiling History Back

1 Case Details 2 Appearing For 3 Filing For 4 Upload Document 5 Index 6 Court Fee 7 Share Document

1 Certificate 2 View

Appearing For Parties
[Select party(s) to whom you represent in the present case
It is recommended to provide email and mobile of parties (represented), for your own convenience.]

Appearing For * : ☐ Appellant / Petitioner / Plaintiff / Complainant ☒ Opponent / Respondent / Defendant / Accused

Party Name	Email	Mobile	Select
THE STATE OF MAHARASHTRA AND ORS	EMAIL	MOBILE	<input type="checkbox"/>
MAHARASHTRA WATER RESOURCES REGULA	EMAIL	MOBILE	<input type="checkbox"/>

Previous **SAVE** Next

Select the party for whom document is to be e-filed.

Click Save first then Click Next e-filed.

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6. Select signing party, if multiple

MAHARASHTRA STATE
NEAR - HIGH COURTS

HOME E-FILE CALENDAR REPORT ASSISTANCE

LOGGED IN AS: SUDHAKAR YASHWANT AMARJI

Active Done Optional Required

E-File Miscellaneous Documents

PRINCIPAL BENCH BOMBAY - APPELLATE SIDE (HCSM01)

eFiling No: ED-MCSM01-48453-2022 eFiling History Back

1 Case Details 2 Appearing For 3 Filing For 4 Upload Document 5 Index 6 Court Fee 7 Share Document

1 Certificate 2 View

Filing For
[Select only those parties which are filing application / reply / document today]

Filing For * : ☐ Appellant / Petitioner / Plaintiff / Complainant ☒ Opponent / Respondent / Defendant / Accused

Party Name	Signing Party ID	Filing Extra Party ID
THE STATE OF MAHARASHTRA AND ORS	<input type="radio"/>	<input type="checkbox"/>
MAHARASHTRA WATER RESOURCES REGULATORY AUTHORITY (MWRRA)	<input checked="" type="radio"/>	<input type="checkbox"/>

Previous **UPDATE** Next

Select the party who is signing the reply or filing documents. Do not forget to click save or update before click next.

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7. Upload documents

MAHARASHTRA STATE
NEAR - HIGH COURTS

HOME E-FILE CALENDAR REPORT ASSISTANCE

Active Done Optional Required

E-File Miscellaneous Documents
PRINCIPAL BENCH BOMBAY - APPELLATE SIDE (HCBM1)

Case Details Appearing for Certificate View

Upload Document(s)

File Name: PDF TITLE

Browse PDF: Choose File No file chosen

PREVIOUS UPLOAD Next

Click Browse, select PDF document to be filed.

8. Give title to uploaded document

MAHARASHTRA STATE
NEAR - HIGH COURTS

HOME E-FILE CALENDAR REPORT ASSISTANCE

Active Done Optional Required

E-File Miscellaneous Documents
PRINCIPAL BENCH BOMBAY - APPELLATE SIDE (HCBM1)

Case Details Appearing for Filing for Upload Document(s) Index Court Fee Return Document

Upload Document(s)

Title: GIVE TITLE TO YOUR DOCUMENT

Browse PDF: Choose File JAO.pdf

PREVIOUS UPLOAD Next

Give title to your document and click UPLOAD

9. Index the uploaded document

Select your document

Enter from page number. e.g. 5 (last page of affidavit)

Select type of document e.g. vakalatnama or reply

Give your title to document

Go on repeating the same process for till you reach end of your document by adding suitable title to each separate part.

10. Select mode, department and party for payment of court fee

By default online court fee is selected

You can select offline mode of payment of court fee

select desired Department

Select party making payment of Court fee.

Click Payment

11. Share copy of document to other Advocates, if desired

MAHARASHTRA STATE
HIGH COURT

Act as ☒ User ☐ Options ☐ Required ☐ Page

E-File Miscellaneous Documents eFiling No. E-FILED-2023-0001-0001 eFiling History Go

PRINCIPAL BENCH (BOMBAY) APPELLATE SIDE (ACBWW)

1. Case Details 2. Appearing for 3. Filing Fee 4. Upload Document 5. Share 6. Share Document 7. Certificate 8. View

Share Document

Add name and email of person for advance service of document

Disclaimer: Service and supply of copies of documents shall be governed by Law, Rules/Notification in force by the High Court.

☒ New ☐ Contact

NAME SURNAME EMAIL

counsel right at the time of filing. If you stored know name and email number of the advocate for otherside, just write name and email. Copy will be shared through the portal.

12. Digitally Sign the Verification

MAHARASHTRA STATE
HIGH COURT

Act as ☒ User ☐ Court ☐ Options ☐ Required ☐ Page

E-File Miscellaneous Documents eFiling No. E-FILED-2023-0001-0001 eFiling History Go

PRINCIPAL BENCH (BOMBAY) APPELLATE SIDE (ACBWW)

1. Case Details 2. Appearing for 3. Filing Fee 4. Upload Document 5. Share 6. Share Document 7. Certificate 8. View

Certificate

There are three modes
1. your own digital signature
2. eSign provided here
3. Mobile OTP

Sign Method ☒ Digital Sign Using Token ☐ eSign Using Aadhaar ☐ Mobile OTP

Please Download and View Unsigned Certificate

download verification and upload again after digitally signing the same.

Please Upload Digitally Signed Certificate

Once uploading is done click upload.

13. Upload and verify signing with own Digital signature.

MAHARASHTRA STATE
E-FILING PORTAL

Active Done Upload Required

E-File Miscellaneous Documents

PRINCIPAL BENCH BOMBAY - APPELLATE SIDE (HCDM01)

eFiling No.: CDH000001 0605 2021 AT 06:18:00

1 Case Details 2 Appearing for 3 Filing For 4 Upload Document 5 Status 6 Court Fee 7 Share Document 8 Certificate 9 View

Document eVerified by Mobile OTP ✓

On Date : 06-05-2022 20:13:33 PM

Using Mobile : *****18

By Advocate : GOSWAMI YASHWANT AMAND

View your session

Return

Finalize

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14. Final Submit

MAHARASHTRA STATE
E-FILING PORTAL

Active Done Upload Required

E-File Miscellaneous Documents

PRINCIPAL BENCH BOMBAY - APPELLATE SIDE (HCDM01)

eFiling No.: CDH000001 0605 2021 AT 06:18:00

1 Case Details 2 Appearing for 3 Filing For 4 Upload Document 5 Status 6 Court Fee 7 Share Document 8 Certificate 9 View

Verify all the information once again, on confirmation click final submit.

Final Submit

Case Details

e-Filed for:	Principal Bench Bombay - Appellate Side High Court	Case Type:	WP - WRIT PETITION
Case No.:	HCDM01-001219-3690	Registration No.:	123 / 2021
Filing No.:	004 / 2020	Registration Date:	15-01-2021
Filing Date:	10-01-2020	Opponent / Respondent /	THE STATE OF MAHARASHTRA AND ORS
Appellant / Petitioner / Plaintiff /	AARTI ANANT BALJI	Expenditure / Accused:	MAHARASHTRA WATER RESOURCES REGULATORY AUTHORITY
Complainant:		Defendant / Accused:	(MWRRA)
Extra Appellant / Petitioner /			
Plaintiff / Complainant:			

Filing For

Documents

Fees Paid

Certificates

Share Document

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3. FILING NEW CASE

On the dashboard click on efile>>click on New Case>>

Enter information in below mentioned tab and follow similar procedure to index documents, payment of court fees, digital signatures and final submit.

Do not forget to enter names and addresses of all the parties.

Do not forget to enter details of the Court and case number in which orders are challenged.

Do not forget to enter details of Acts and Section.

Do not forget to enter details of Police Station, FIR number etc.

Case Filing Form
FILL IN THE INFORMATION OF ALL THE PARTIES, LEGAL HEIRS, EARLIER COURTS, ACT-SECTIONS.

Appellant / Petitioner / Plaintiff / Complainant Information

Party is:

Appellant / Petitioner / Plaintiff / Complainant:

Relation with:

Relative Name:

Date of Birth:

Age:

Gender: ☐ Male ☐ Female ☐ Other

Respondent Information

Address:

State:

District:

Taluka:

Town:

Village:

Police Station:

After-filling in information and before shifting to next-Tab do not forget to click SAVE

SAVE

III : List of Designated Counters (eSewa Kendra)

Sr. No.	District	Name of Court Complex
1	NAGPUR	High Court of Judicature at Bombay Nagpur Bench, Nagpur.
2	AURANGABAD	High Court of Judicature at Bombay Aurangabad Bench, Aurangabad.
3	AHMEDNAGAR	District & Sessions Court, New Court Building, Behind S.P. Office, Near Nyaya Nagar, Ahmednagar - 414 001
4	AKOLA	District and Sessions Court, Railway Station Road, Ramdaspath, Akola- 444 001
5	AMRAVATI	District & Sessions Court, Camp, Amravati - 444 602
6	AURANGABAD	District & Sessions Court, New District Court Building, Adalat Road, Aurangabad - 431 005
7	BEED	District and Sessions Court, Nagar Road, Beed – 431122
8	BHANDARA	District & Sessions Court, District Court Building, National Highway 6, Civil lines, Bhandara Tah. District Bhandara – 441904
9	BULDHANA	District & Session Court, Buldhana- 443001

10	CHANDRAPUR	District & Session Court, Nyayamandir Building, Opp. Bus Stand, Chandrapur - 442 401
11	MUMBAI	CMM Court, Esplanade Court, Mahapalika Marg, Mumbai - 400 001
12	DAMAN	District & Sessions Court, Moti Daman, Daman - 396 220.
13	DHULE	District & Sessions Court, Dhule - 424 001
14	DIU	District & Sessions Court, Diu - 362 520.
15	GADCHIROLI	District & Sessions Court, Gadchiroli - 442 605
16	GONDIA	District Judge -1, Civil Lines, Gondia – 441601
17	JALGAON	District and Sessions Court, Jalgaon – 425001
18	JALNA	Principal District & Sessions Judge, Chief Judicial Magistrate Court & Civil Judge, Senior Division, Survey No - 488, Ambad Ring Road, Jalna - 431 203
19	KOLHAPUR	District & Sessions Court, Gate No.4, Central Building, Kasaba Bavada, Kolhapur - 416 006
20	LATUR	District & Sessions Court, “Nyaya Nagari”, Main Road, Latur - 413 512

21	MUMBAI	City Civil & Sessions Court, Old Secretariat Building, Mumbai – 400032
22	MUMBAI	Small Causes Court, L.T. Road, Dhobi Talao, Mumbai – 400002
23	NAGPUR	District & Sessions Court, Akashwani Chowk, Nagpur – 440001
24	NANDED	District and Sessions Court, Station Road, Nanded - 431 601
25	NANDURBAR	District Judge - 1, District Court, Nandurbar - 425 412
26	NASHIK	District & Sessions Court, Near Central (Old) S.T. Stand, Old Agra Road, Nashik - 422 001
27	NORTH GOA	District and Sessions Courts Complex, Lyceum Complex, Altinho, Panaji, Goa. 403 001
28	OSMANABAD	District and Sessions Court, Solapur Aurangabad Road, Infront of Municipal Council, Osmanabad - 413 501
29	PARBHANI	District Court (New Complex) & CJSD, CJM Court (Old Complex), Near Railway Station, Parbhani – 431401
30	PUNE	District & Sessions Court, Shivajinagar, Pune - 411 005
31	RAIGAD	District & Sessions Court, Raigad - Alibag - 402 201

32	RATNAGIRI	District & Sessions Court, Khareghat Road, Ratnagiri – 415612
33	SANGLI	District & Sessions Court, Vijay Nagar, Sangli - 416 416
34	SATARA	District Court, Satara (New Court Building), Satara - Koregaon Road, 515 Sadar Bazar, Camp, Satara - 415 001
35	SILVASSA	District & Sessions Court, DNH, Silvassa - 396 230.
36	SINDHUDURG	District and Sessions Court, Sindhudurg at Oros, Tal. Kudal, Dist. Sindhudurg, Pin 416812
37	SOLAPUR	District & Sessions Court, Near Rangbhavan Chowk, Solapur - 413 003
38	SOUTH GOA	District & Sessions Court Complex, Old Market, Margao, Goa – 403601
39	THANE	District & Sessions Court, Thane Opposite Collector Office, Court Naka, Thane (West) - 400 601
40	WARDHA	District & Sessions Court, New Building, Civil Lines, Wardha - 442 001
41	WASHIM	District and Sessions Court, Nyay Mandir, Civil Line, Washim 444505
42	YAVATMAL	District and Sessions Court, Nyay Mandir, District Court Complex, Dhamangaon Road, Near Main Post Office, Yavatmal - 445 001

APPENDIX – I

For E-filing portal version 3.0 (<https://filing.ecourts.gov.in/pdedev>) (Applicable to all the District, Taluka and excadre courts in the state of Maharashtra)

Screenshots showing the procedure for accessing the online portal, electronic filing of documents and list of designated counters.

(I) : **Accessing the online portal**

- Visit <https://filing.ecourts.gov.in/pdedev> to access eFiling portal.
- Registered Users can log in into the system by using username(Barcode/Email/Mobile Number/ Unique Code given at the time of registration) and password.



Fig: eFiling Services – Sign in

- After login into e-filing portal, the DashBoard of the Advocate appears as shown in the following picture.

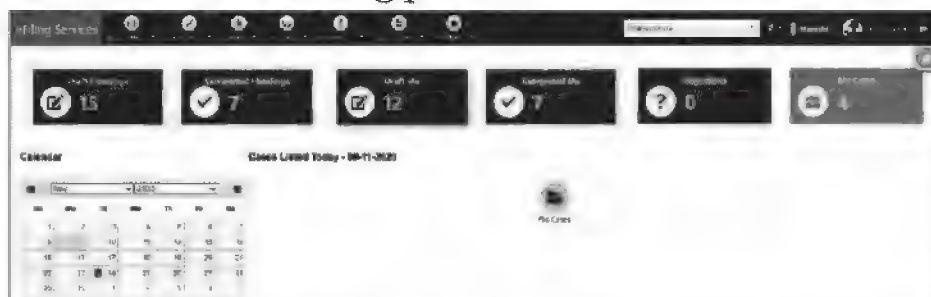


Fig: Opening Screen

(II) filing of Documents :

This menu allow user to upload their legal documents, provide indexing, authorise signatories and e-sign the pleadings.

This tab enables user to perform following actions :

- Upload new legal documents (in pdf format) for selected case.
- View/Search previously uploaded documents.
- Merge uploaded documents.

Upload New Documents :

Select the Case

Search the case for which documents need to be uploaded.

- Select suitable search option - **Search my Case** or **New Case**.
 - For **Search My Case** radio button, enter **Search Keyword** and select a case from the drop down list.
 - For **New Case**, select **eFiling number** from the drop down list.
- The details of the case are displayed such as Name, My Clients, and Establishment Name.

Upload the Document

- Enter the file name (document name) in the text box provided.
- Choose the file to be uploaded by clicking on **Browse** button and click **Add File**.

The file name and file (in PDF format) is displayed in the table below.
Click on **Submit** button.

- The message, 'Addition Successful' will be displayed and the document can be viewed in the table provided at the bottom of the form.



Fig: Pleading Upload



Fig: Addition of Pleading Successful

View/Search uploaded documents :

- Select **Pleadings** form main menu and again select **Pleadings** from sub menu.
- A list of all previously uploaded documents is displayed. The details of the table include Name of Litigant, File Name, Uploaded On, Status of the document and Delete option.
- Uploaded documents listed in the table can be searched with the help of filing number or CNR number.
- **Digitally Signed** and **eSigned** icons appear when the document is digitally signed or e-signed.
- The document can be viewed by clicking on the name of the document.

Pleadings

Upload Pleadings | Indexing | e-Sign

Search Case | Search My Cases | New Case

Search Keyword: J.C.A./10001/2014 DECEASED...

My Cases: J.C.A./10001/2014 DECEASED...

DISTRICT AND SESSIONS COURT AURANGABAD
4-District Judge-1 and Addl. Sessions Judge, Amd
25-08-2018/

File Name: [Enter file name] | Choose file | Browse | Add file

Case Number: J.C.A./10001/2014

Sl. No.	Case Name	File Name	Uploaded on	Status	Actions
1	J.C.A./10001/2014 DECEASED...	Petition	26-08-2021	Pending	Get info
2	J.C.A./10001/2014 DECEASED...	Petition	26-08-2021	Pending	Activate Writ Delete

Fig: Pleadings

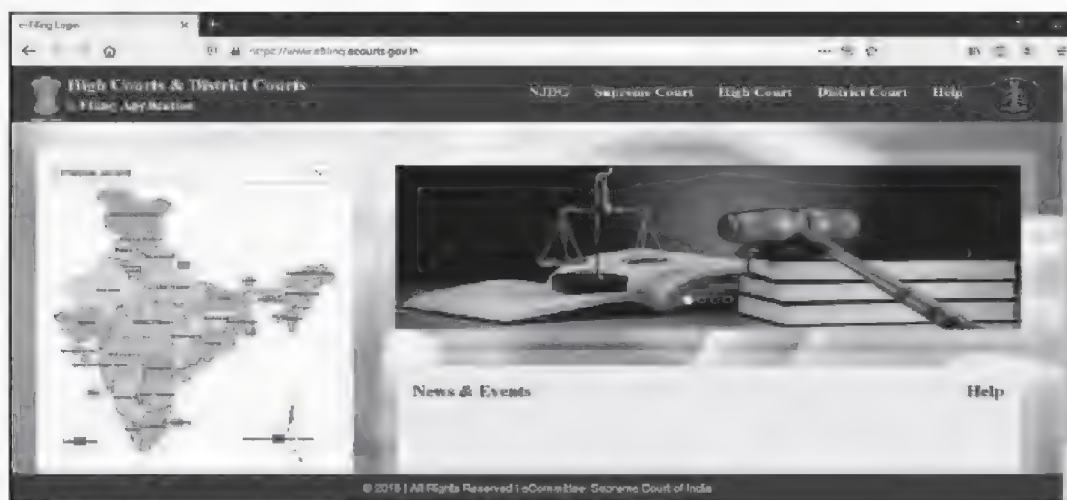
APPENDIX – II

For E-filing portal version 2.0 (<https://efiling.ecourts.gov.in/>) (Applicable to High court at Bombay and its benches at Nagpur,

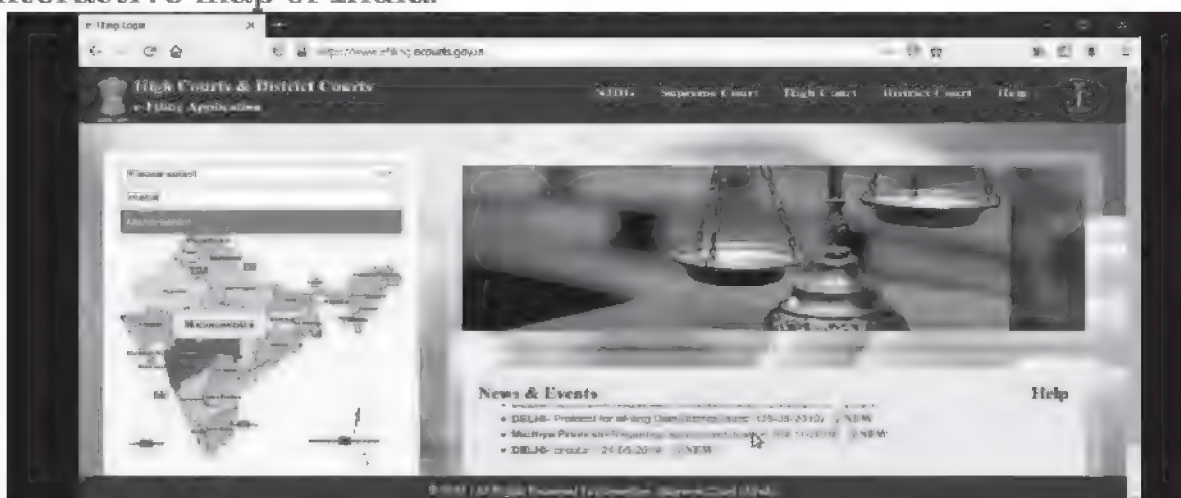
Aurangabad and Bombay High Court at Goa and District Courts and Taluka Courts at Diu, Daman, Silvassa)

Screenshots showing the procedure for registration.

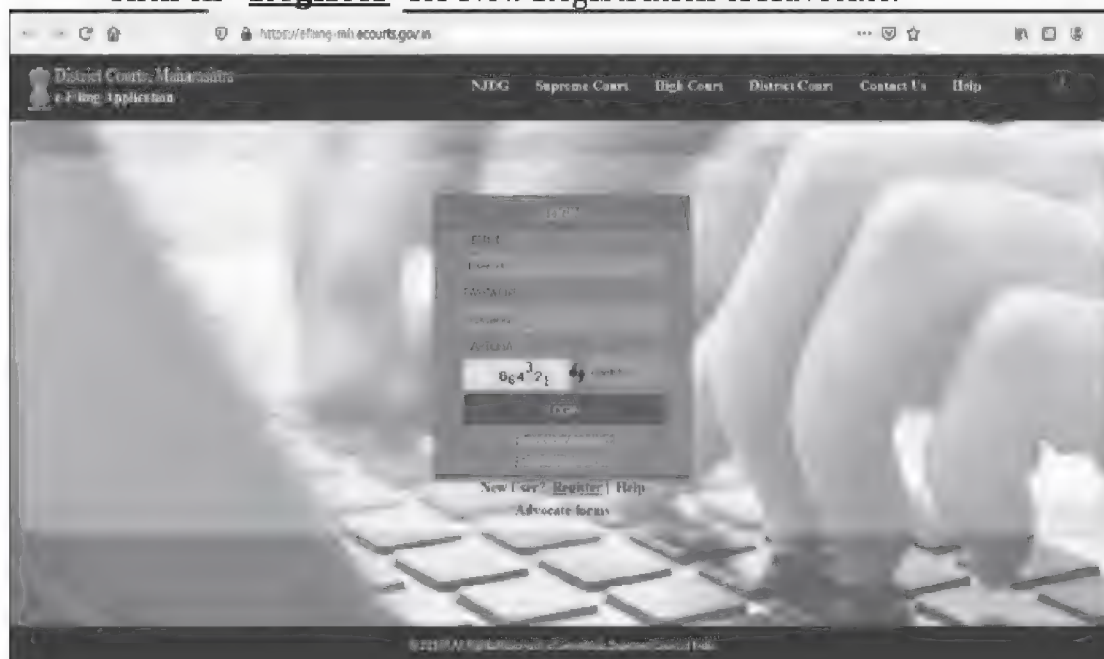
- Visit the efiling portal at <https://efiling.ecourts.gov.in/>



- Select the State either from the dropdown list or the interactive map of India.



- Click on “**Register**” for New Registration of Advocate.



Note * Registration process is a time bound process. It has to be completed in 18 minutes.

- Click on “**Advocate**” Radio Button.
- Enter “**Mobile No.**”, “**Email**” and “**Bar Registration No.**” of the Advocate as entered in the local CIS.

- Then select a **“User ID”**

Session will expire in 17:00
PLEASE DO NOT CLOSE THIS WINDOW

NOTE: PLEASE ENSURE THAT YOU ARE READY WITH YOUR PHOTO AND E-MAIL ADDRESS. IMAGE SIZE BETWEEN 5KB AND 5MB IN JPEG OR PNG FORMAT.

NAME *

EMAIL *

MOBILE *

CAPTCHA *

Get OTP

Already Registered? [Return to Login](#)

- Select **“State”**, **“District”** and **“Establishment”** where the Advocate is registered. Then enter the **“Captcha”** and click on **“Get OTP”** Button.

Session will expire in 17:00
PLEASE DO NOT CLOSE THIS WINDOW

NAME *

EMAIL *

CAPTCHA *

STATE *

DISTRICT *

ESTABLISHMENT *

Get OTP

Already Registered? [Return to Login](#)

- The Advocate will receive two OTPs, one on his Mobile and another on his email.
- Enter the OTPs received on **“Mobile”** and **“Email”**. Then enter **“captcha”** and Click on **“Verify OTP”**

Session will expire in 17:00
PLEASE DO NOT CLOSE THIS WINDOW

ENTER TWO DIGIT VERIFICATION CODE RECEIVED ON YOUR MOBILE NUMBER

MOBILE OTP *

EMAIL OTP *

CAPTCHA *

Verify OTP

Already Registered? [Return to Login](#)

- Then choose the Password and enter the Advocate Details.

NOTE: PASSWORD MUST CONTAIN ATLEAST 1 SPECIAL CHARACTER, 1 DIGIT, 1 LOWER CASE CHARACTER, 1 UPPER CASE CHARACTER AND ATLEAST 8 CHARACTERS LENGTH

NAME: Ajakumar

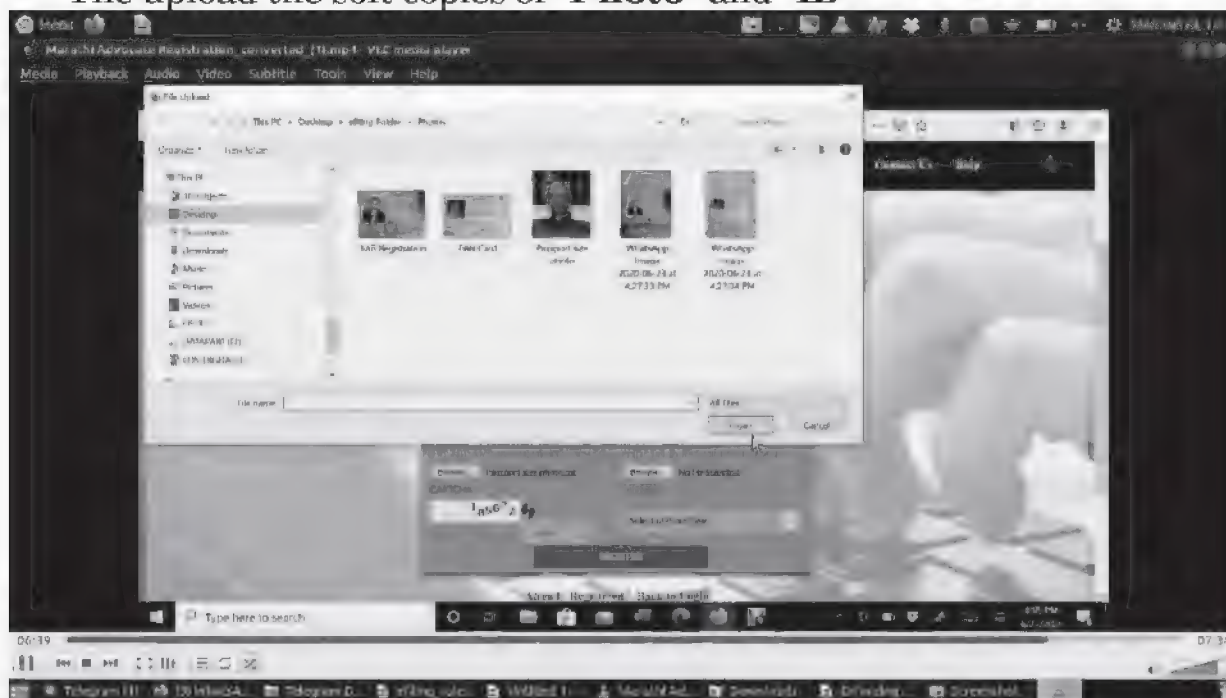
DATE OF BIRTH: 11/01/1994

GENDER: Male

ADDRESS: [Blank]

EMAIL: [Blank]

- The upload the soft copies of “**Photo**” and “**ID**”



- Then choose the “**ID Type**” uploaded.

- Then enter “**Captcha**” and click on “**Register**”
- On successful Registration, the Advocate will get a message “**Registered Successfully**”



- Advocates will be informed about the successful Registration by email and SMS.
- Advocates can now use their Login credentials to login to their account for e-filing of cases.

For E-filing portal version 3.0
(<https://filing.ecourts.gov.in/pdedev>)
(Applicable to all the District, Taluka and excadre courts in the state of Maharashtra)

Screenshots showing the procedure for registration

Visit e-filing portal at <https://filing.ecourts.gov.in/pdedev>



Fig: eFiling Services – Sign In

Registering new Users :

The registration process differs for different users. Basic flow of events during registration is depicted in the following image.

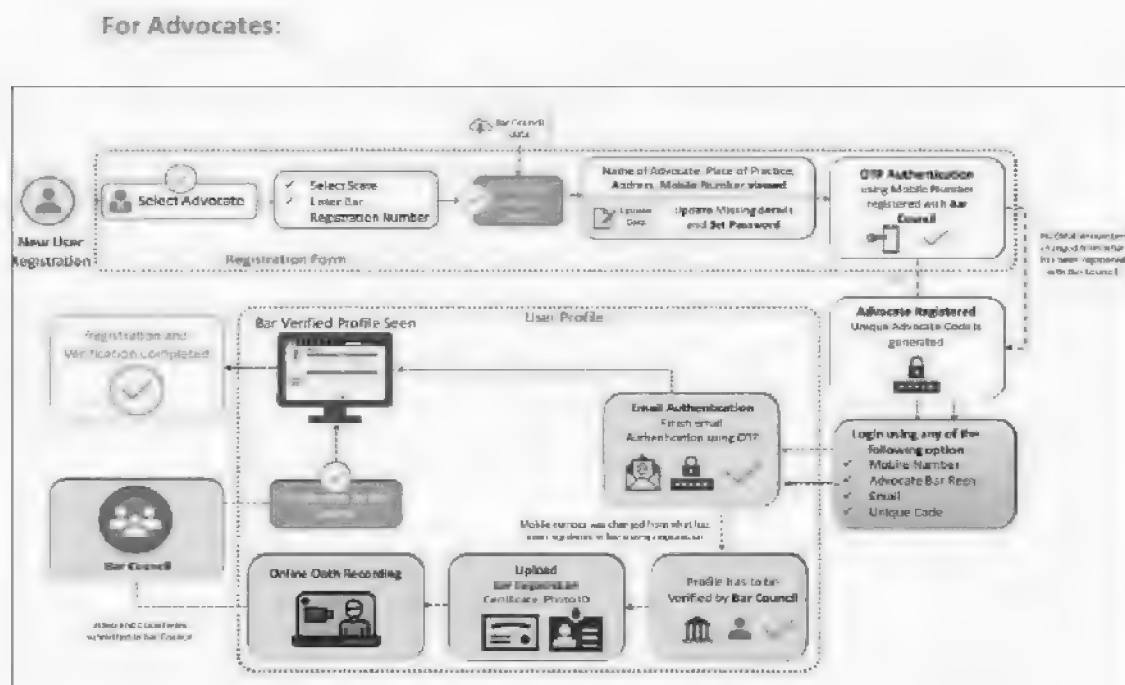


Fig: Advocate Registration Flow

To register with the e-filing system :

- Click on the 'New User Register here' link in the log-in screen; a registration form will be displayed. Select **Advocate** radio button.
- Select the **State** in which the advocate is registered with the bar council.
- Enter the following details
 - Bar Registration Details – When you enter the **Bar Registration** number, click **Verify**. The system will verify the bar registration number with bar council data and fetch the contact details. A message will be displayed at the top of the screen informing whether the verification was successful or not. Verify the fetched contact details and change, if required.
 - Note:** Even if mobile number is changed or user is not verified, he can still register with the eFiling system. The user will be verified by the bar council later.
 - Practice Place Details
 - Contact Details
 - Password
- Once all details are filled in, click Generate OTP; message 'OTP sent to your mobile number' will be displayed. Enter the OTP received on your mobile and click Verify OTP. 'User registered successfully' message will appear along with your unique code.

The image shows two parts of the e-Filing system interface. The top part is the 'Login to e-Filing' page, which includes a 'Select State' dropdown, radio buttons for 'Advocate' and 'Litigant', a 'Remember' checkbox, and fields for 'User ID Code, Email Address & Password Code', 'Email', 'Enter Password', and 'Confirm Password'. There are 'Login' and 'Forgot' buttons, and a link for 'New User? Register here' with a 'Forgot Password?' link below it. An arrow points from the 'New User? Register here' link to the 'Registration Form' below. The 'Registration Form' is titled 'Registration Form' with tabs for 'Advocate' and 'Litigant'. It contains various fields for personal and professional information, including 'State', 'Bar Register No.', 'Gender', 'Date of Birth', 'Advocate Name', 'State of Birth', 'District Court', 'High Court', 'State', 'Enrollment', 'Email', 'Enter Email', 'Password', 'Enter Password', 'Confirm Password', 'Enter Confirm Password', 'Mobile Number', 'Generate OTP', 'Enter OTP', and 'Verify OTP'. A 'Submit' button is at the bottom.

Fig: Register New User – Advocate

- **For Litigants-**
- Basic flow of events during registration is depicted in the following image.

For Litigants:

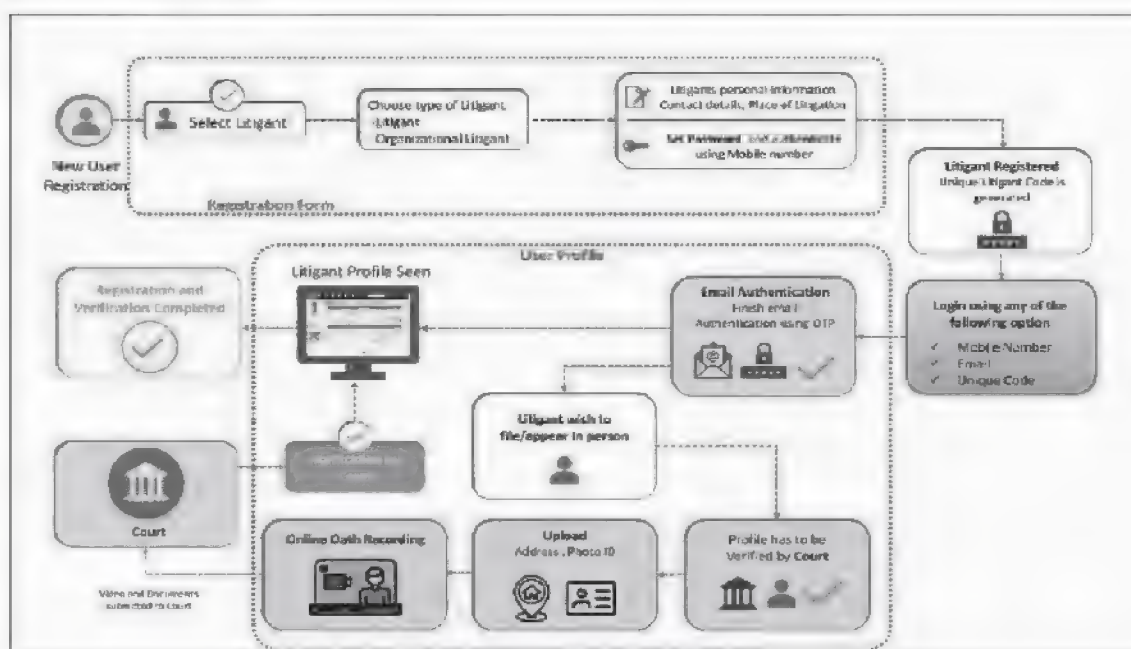


Fig: Litigant Registration Flow

• **Follow the procedure given below to register with e-filing system :**

- Click on the 'New User Register here' link in the log-in screen; a registration form will be displayed. Select **Litigant** radio button.
- Fill in the following details
 - Personal Details – Select state where the case needs to be filed. If the party is an organization, fill in the organization details.
 - Place of Litigation
 - Contact Details
 - Password
- Once all details are filled in, click Generate OTP; message 'OTP sent to your mobile number' will be displayed. Enter the OTP received on your mobile and click Verify OTP. 'User registered successfully' message will appear along with your unique code.

Fig: Register New User – Litigant



Fig: User Registration Success Message

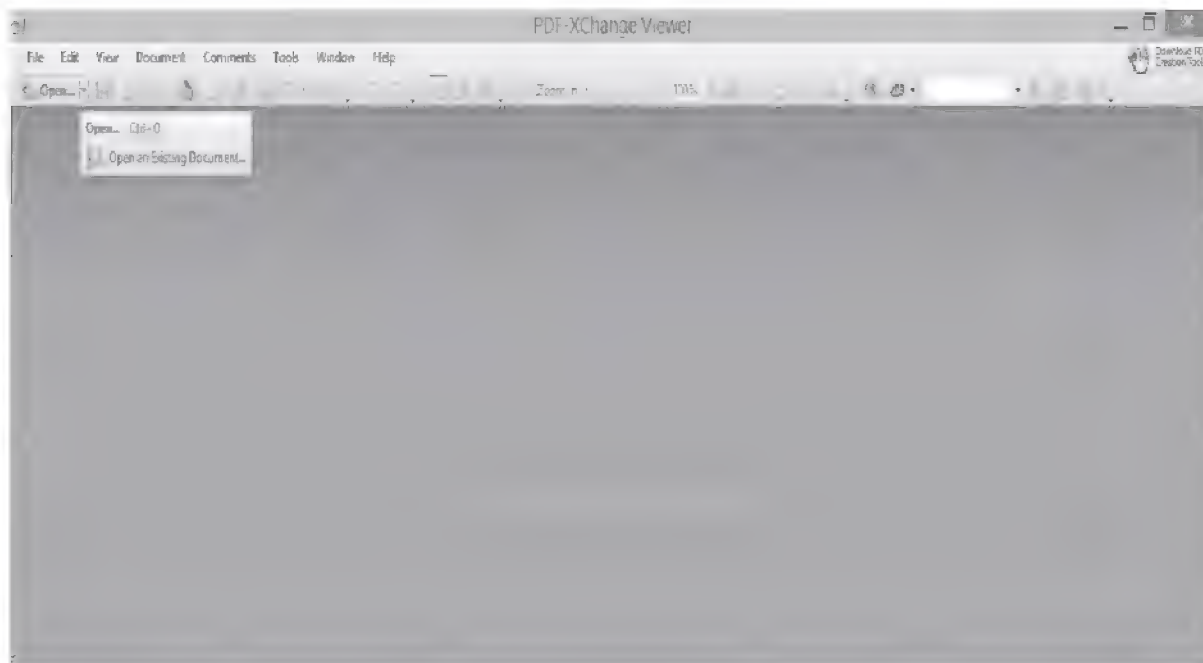
APPENDIX - III

Screenshots showing the procedure for converting a document into an OCR searchable PDF.

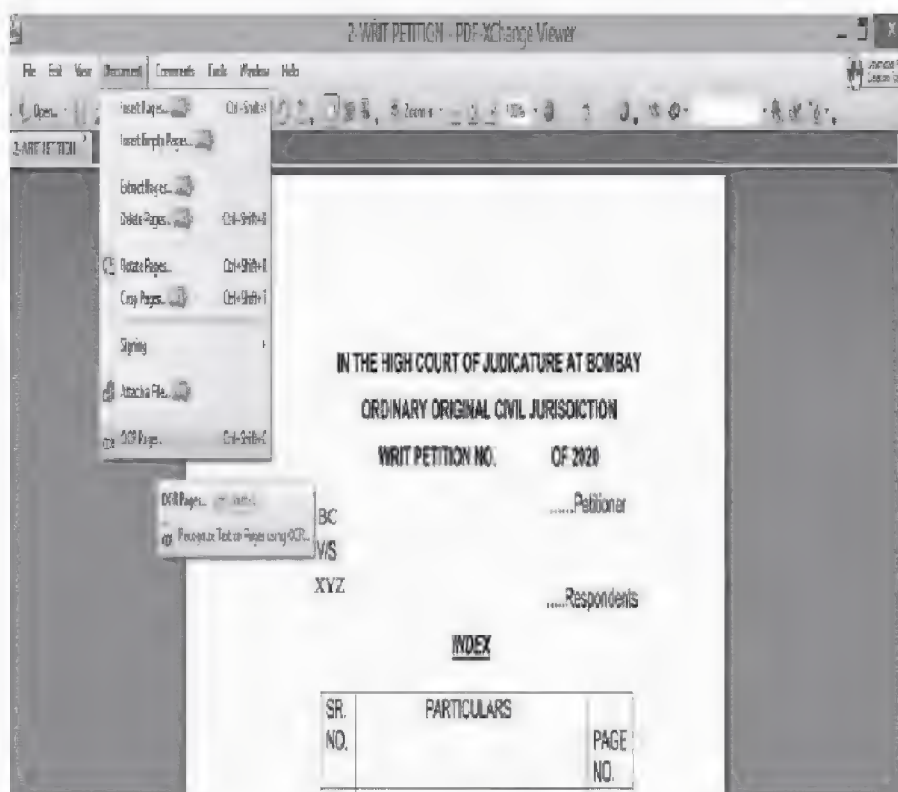
- Download any free software or use online tools to convert PDF to OCR searchable PDF.
- OCR.Space is a free Online PDF to OCR searchable conversion tool.
- Go to <https://ocr.space/> and upload image or PDF file (.png,.jpg,.webp or .PDF) or paste url to source file (.png,.jpg,.webp or .PDF). Click on **“Start OCR”** and then **“Download”** buttons to covert and download PDF to OCR Searchable PDF.



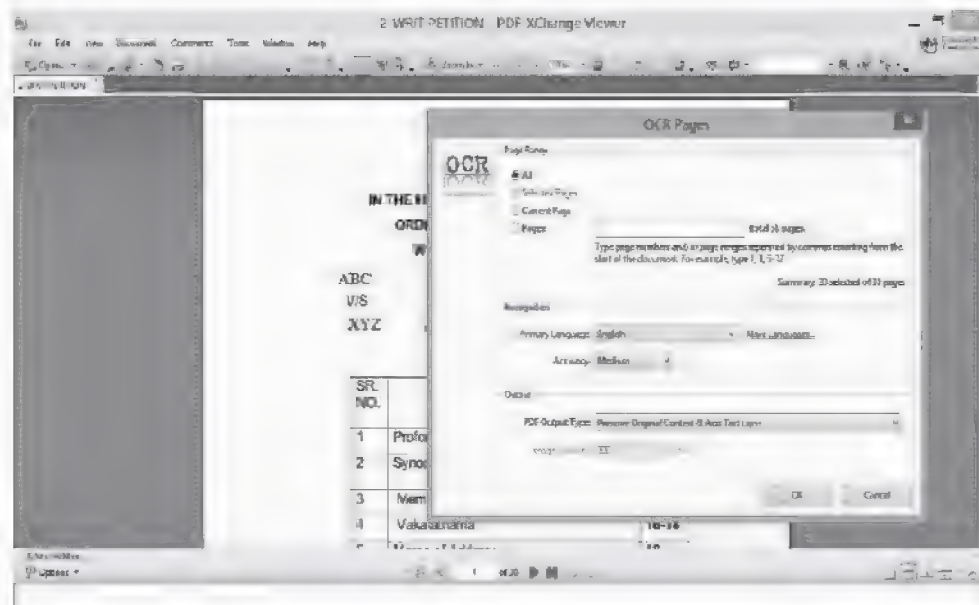
- Or you may download and install free **PDF-XChange Viewer** to convert PDF to OCR searchable PDF.
- Select **“Open”** to open the PDF containing a scanned image you wish to convert to OCR Format.



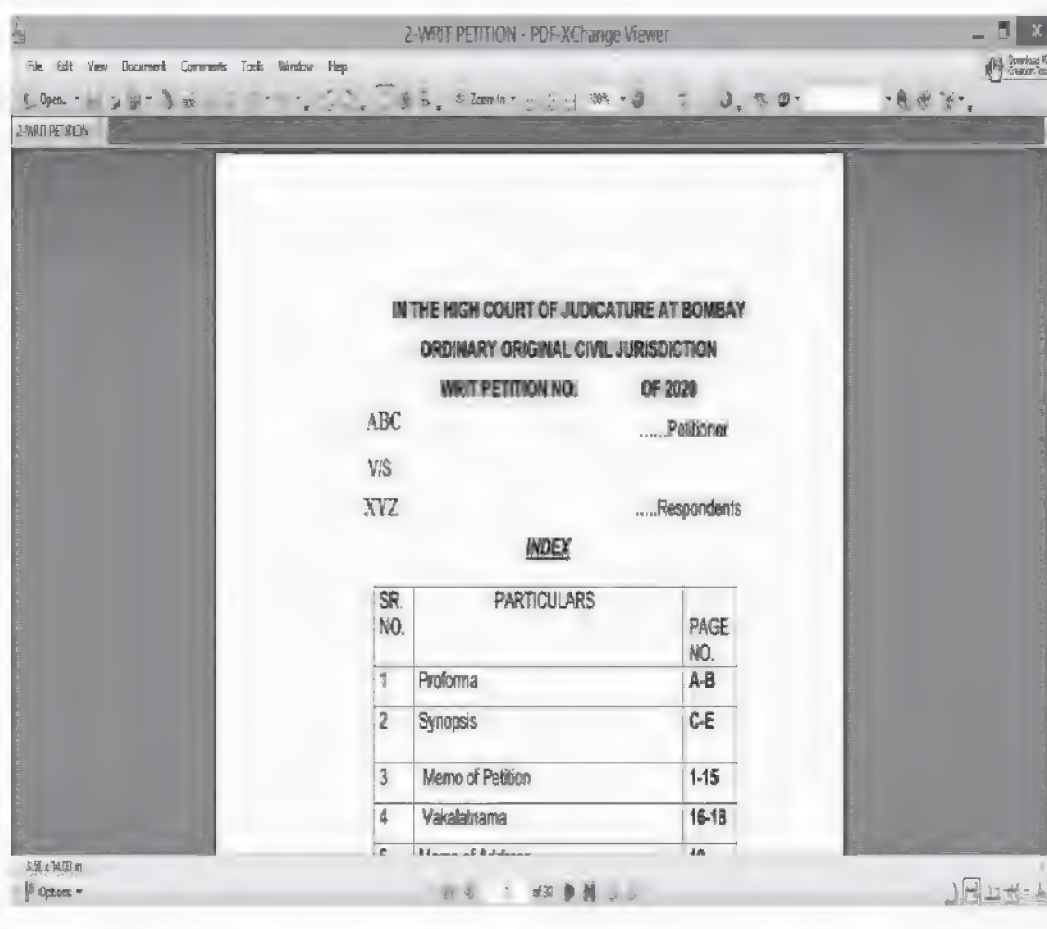
- From the main menu, select **“Document”, “OCR Pages”**.



- Select “Page Range”; “Recognition”; “Output” and Image Quality at least 300 dpi then Click on “OK”



- Output in OCR Format



APPENDIX-IV

For E-filing portal version 2.0 (<https://efiling.ecourts.gov.in/>) (Applicable to High court at Bombay and its benches at Nagpur, Aurangabad and Bombay High Court at Goa and District Courts and Taluka Courts at Diu,Daman, Silvassa)

Screenshots showing the procedure for appending single or multiple digital signatures.

Through Aadhar number

In case applicant provides Aadhar number for signatures, fig 23 shows screen as will then appear. If applicant does not wish to provide Aadhar number, he can physically sign and upload his document of affirmation and Advocate can submit his Aadhar to sign as shown in fig 24 below. Please note that a user is required to accept the consent form to use Aadhar for e-signing.

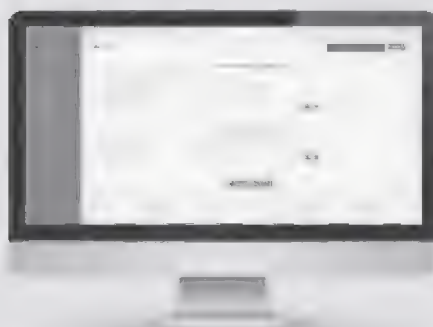


Fig 23 Applicant affirmation signed using his Aadhar

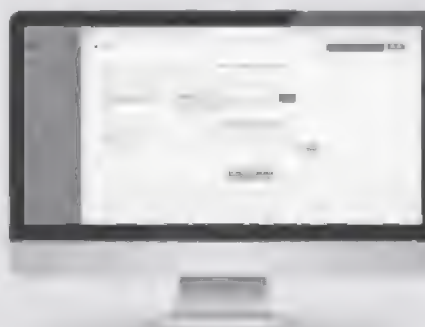


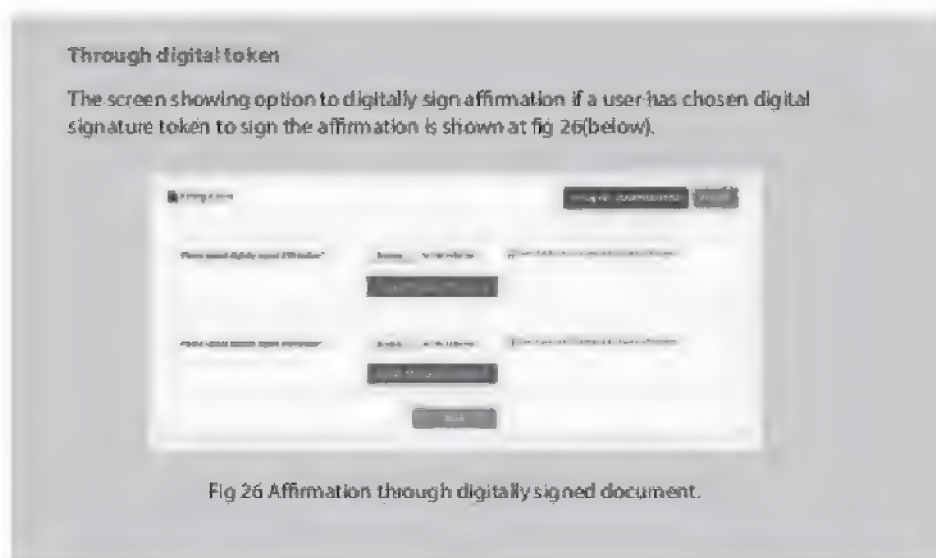
Fig 24 Applicant affirmation (physically signed) signed using Advocate's Aadhar

4.8. OTP validation

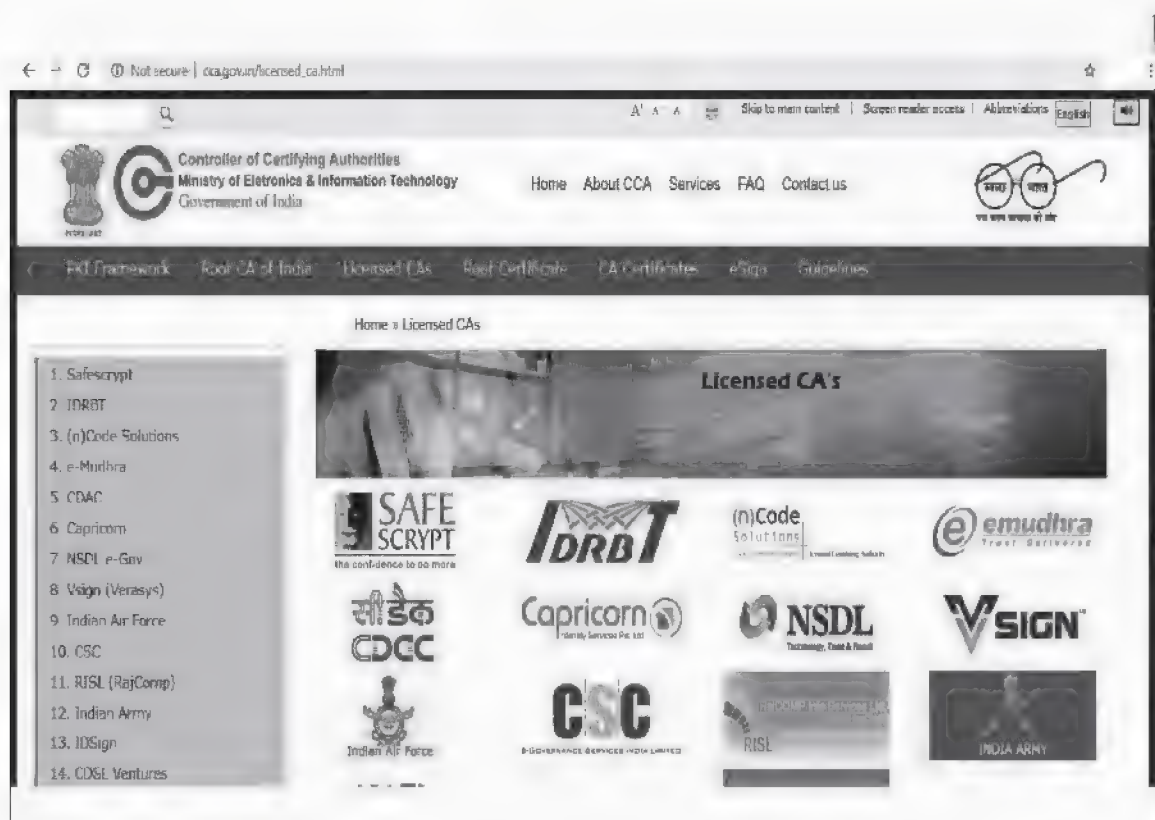
Where Aadhar is submitted for e-signing the affirmation, an OTP will be received on user's registered mobile number with UIDAI for authentication. Once correct OTP is entered for validation as shown in Fig 25 below, a message showing Affirmation is submitted successfully is displayed on screen. Once it is successfully validated, affirmation is e-signed using Aadhar.



Fig 25 OTP validation to confirm submission of Affirmation



- Go to the website - <http://cca.gov.in> to get the list of Licensed Certifying Authorities.



APPENDIX – IV**For E-filing portal version 3.0 (<https://filing.ecourts.gov.in/pdedev>) (Applicable to all Districts, Taluka and excadre courts in the state of Maharashtra)**

Screenshots showing the procedure for appending single or multiple digital signatures.

- **How to e-sign the documents (Authorised signatories)**

This facility allows user to assign signatories for a document including the advocates or clients. The service also enables to specify the mode of signing- whether it will be e-signed or OTP verified by the signatory. Only the assigned advocates and clients are able to sign the document. When a client is assigned as signatory by the advocate, he will be able to see the document for e-signing under pleadings menu.

- Click on **Authorize Signatories** to authorize who can sign the selected document.
- Check the box for those who the user wishes to authorize. Check box is provided in front of their names.
- Select the Method of signing by selecting the radio button for e- sign or OTP. For OTP, enter the mobile number and the OTP which is sent to that number.
- Click on submit button.



Fig: Authorize Signatories

- The message, “Signatory Authorised successfully” is displayed. This signatory will now be able to e-sign/OTP verify document through own login.



Fig: Signatory Authorized Successfully

- **e-Sign verification :**

Click on **eSign** button next to the party name; Click on **Prepare PDF for e-sign** and then on **Submit for e-signing**. You will be directed to C-DAC site for e-signing. The procedure requires Aadhaar based OTP verification.



Fig: Prepare PDF for eSign

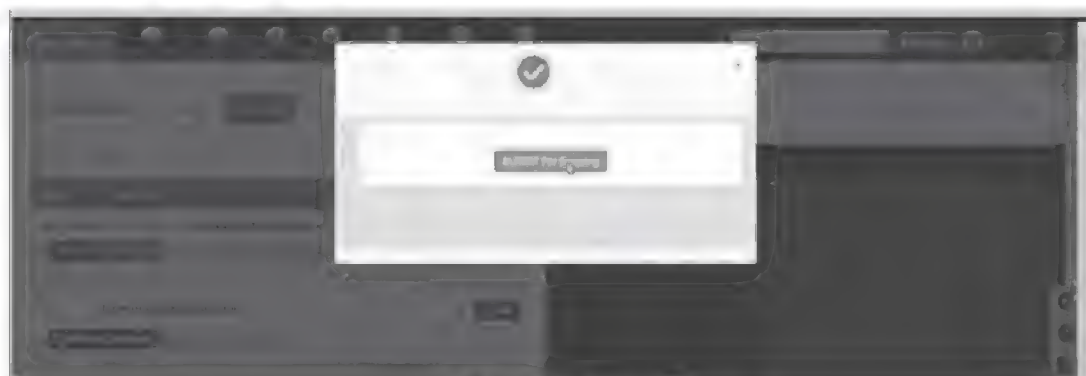


Fig: Submit for eSigning



Fig: Authentication for Aadhaar

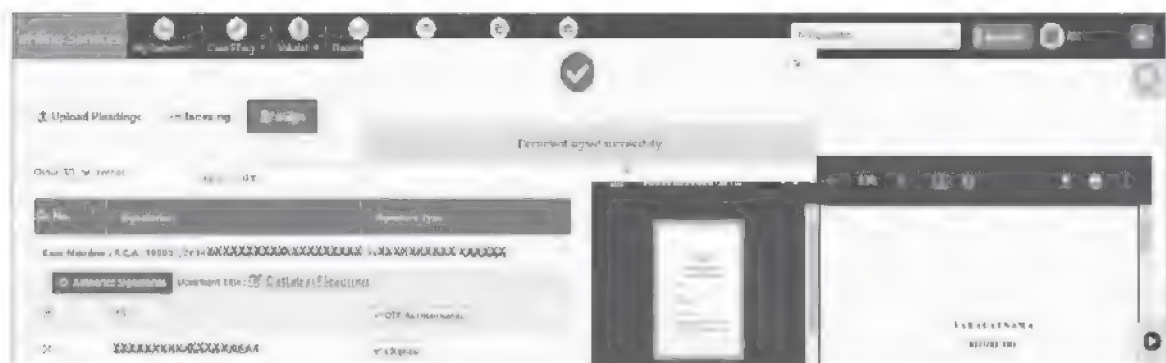


Fig: Document eSigned successfully

OTP Verification :

- Click on get OTP button in front of the desired document.
- Click get OTP.
- Enter the OTP and click verify.
- OTP verification success is displayed.



Fig: OTP Verification



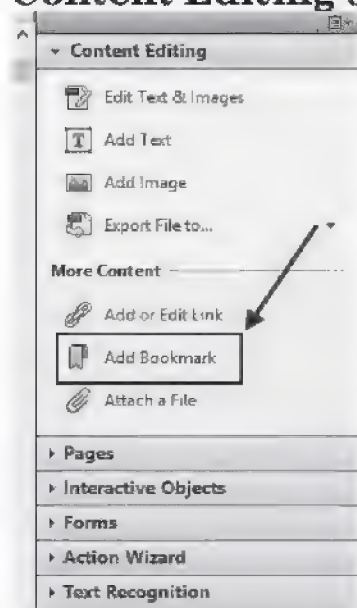
Fig: OTP Verification Success

APPENDIX – V

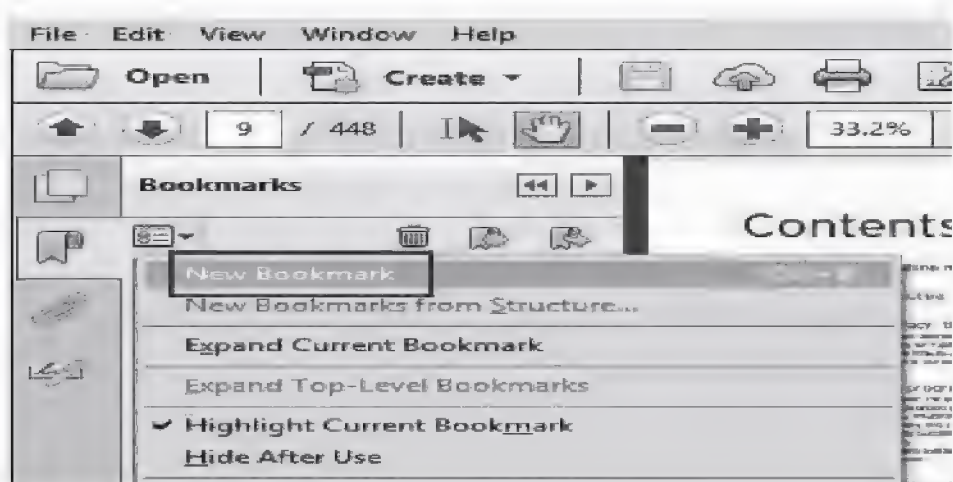
Screenshots showing the procedure for
bookmarking.

- Open your PDF file to the page you want to bookmark in Adobe Acrobat.
- Navigate to the page you wish to create a bookmark for. Go to **View > Tools >**

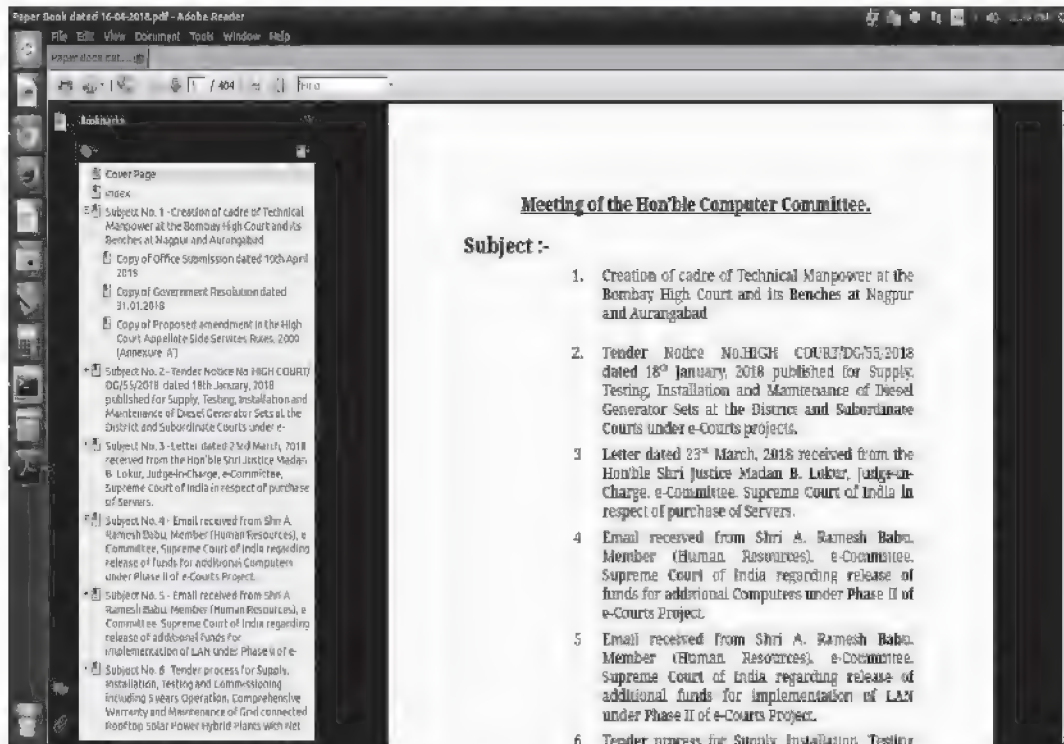
Content Editing and in the Tools Pane, click on **Add Bookmark**.



- Or, click on the Options menu from the side Bookmarks Navigation Panel. Select New Bookmark.

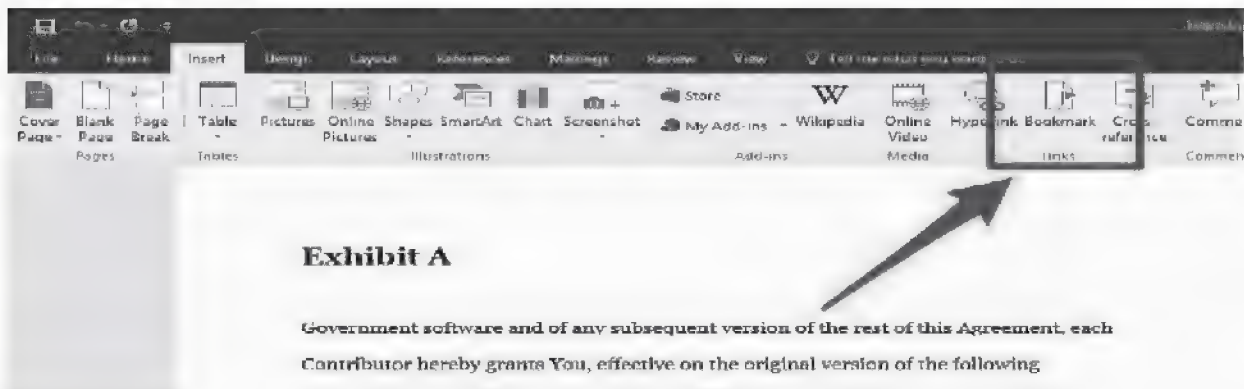


- You can also begin by selecting your page, right clicking, and choosing Add Bookmark from the context menu. In the box that reads 'Untitled', type in the bookmark's name. Press Enter to save it.



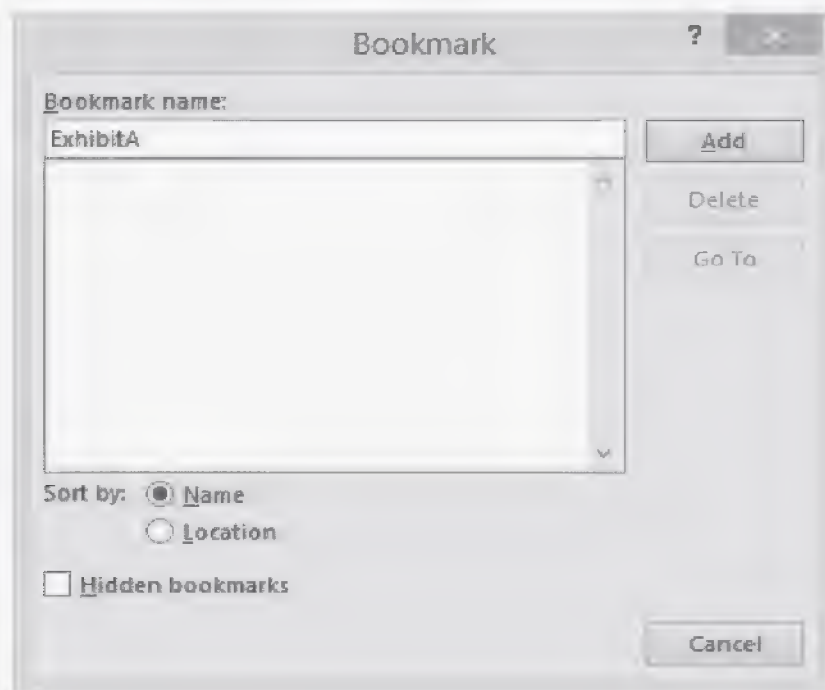
- **Add bookmarks using Microsoft Word:**
- **Step one:**

Open the document in Word and navigate to the section or heading you wish to bookmark. Select the title you wish to bookmark and then click on the Insert tab in the ribbon, followed by selecting Bookmark.



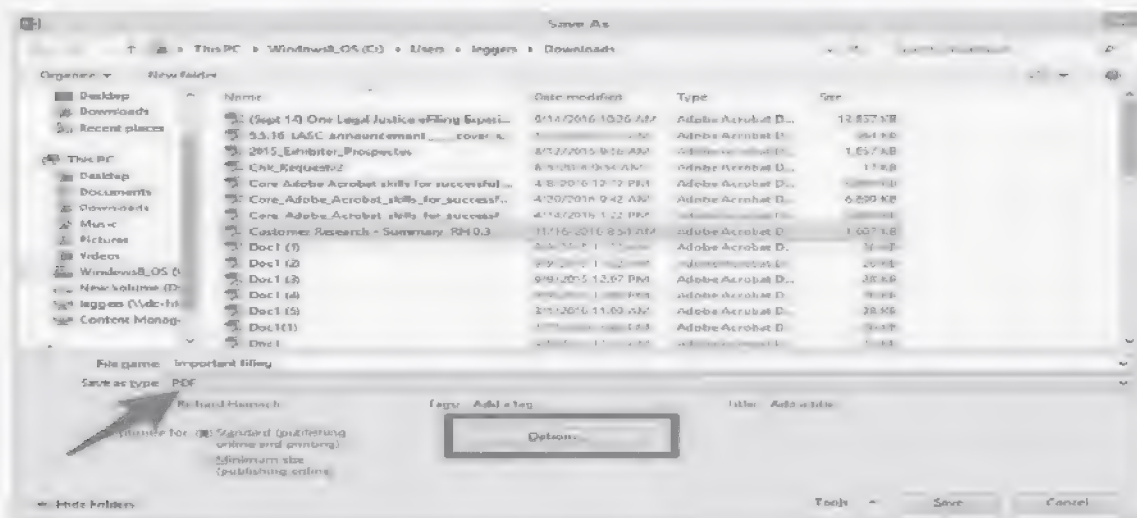
Step two

The Bookmark dialog box will open. Type the name of your bookmark and then click Add. Repeat this process until all required sections have been bookmarked.

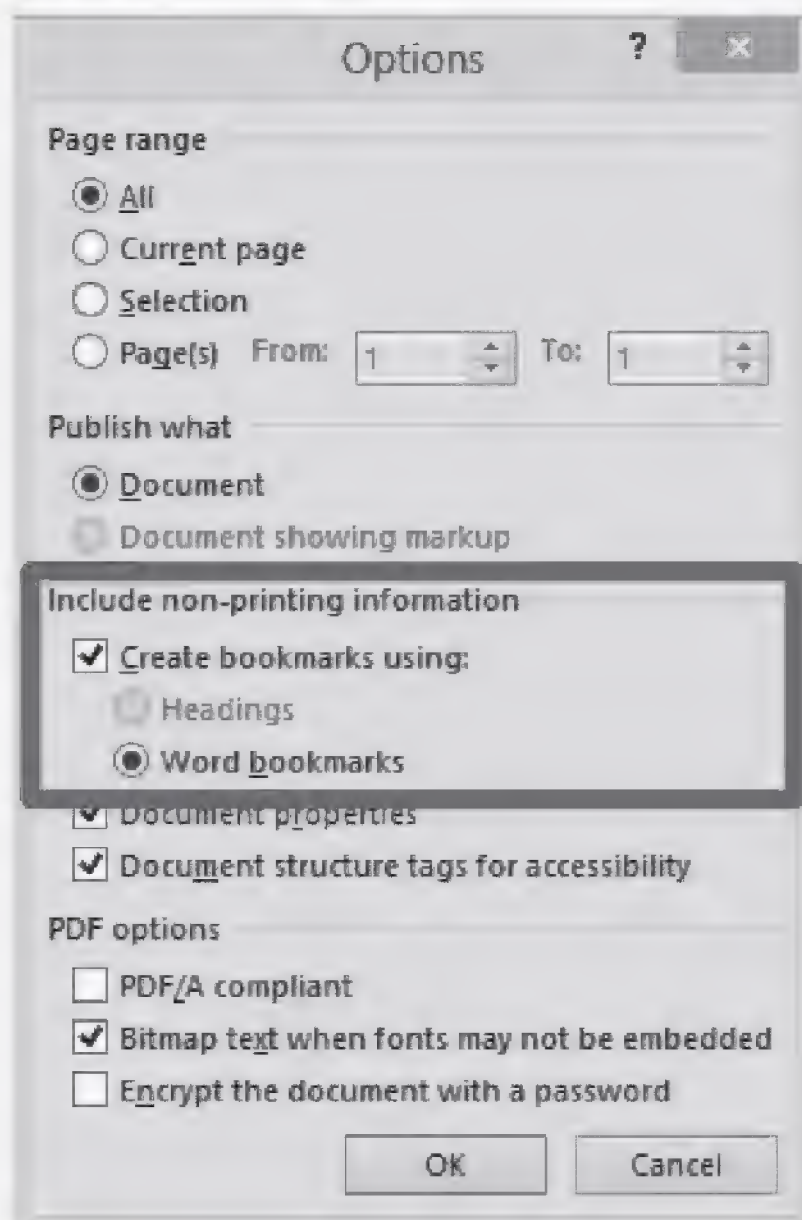


Step three

Finally, save the document as a PDF. To do this, **click on Save As** in the File menu. Select PDF in the dropdown menu. Before saving, open the Options. menu at the bottom of the Save As dialog box.



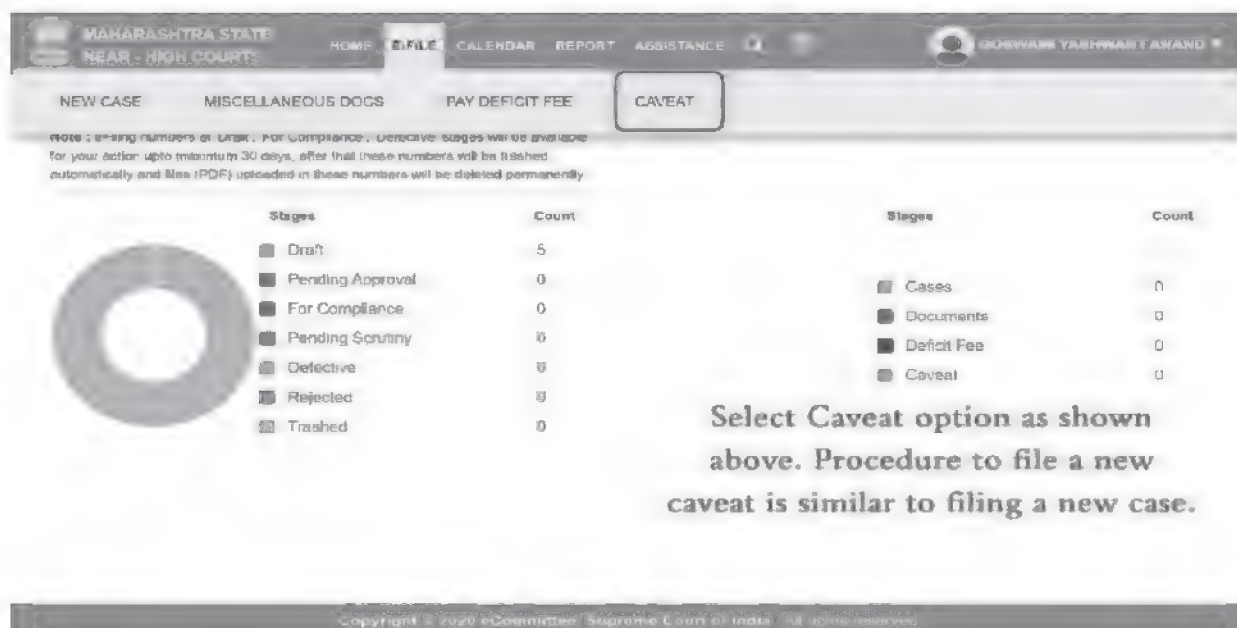
- Make sure that the option “Create bookmarks using:” is selected and that it is set to use Word bookmarks. Click OK and then Save.



APPENDIX – VI

For E-filing portal version 2.0 (<https://efiling.ecourts.gov.in/>) (Applicable to High court at Bombay and its benches at Nagpur, Aurangabad and Bombay High Court at Goa and District Courts and Taluka Courts at Diu, Daman, Silvassa)

Screenshots showing the procedure for filing Caveat.

**APPENDIX –VI**

For E-filing portal version 3.0 (<https://filing.ecourts.gov.in/pdedev>) (Applicable to all the District, Taluka and excadre courts in the state of Maharashtra)

Screenshots showing the procedure for filing Caveat.



APPENDIX -VII

1. Any information contained in an electronic record that is sought to be produced in an electronic form and/or intended to be proved as per law shall be filed only through Designated Counters. Any party found dumping irrelevant data/electronic records shall be liable for appropriate action and consequences.

2. Where the electronic record is contained in an electronic device it shall, before being produced, be imaged for being produced on to a removable media.

3. The electronic record shall be accompanied by a memo [See Form A below]. The details and columns shall be filled up to the extent the information is available. Where the Operating System and software required to read/view/access the electronic record is unavailable, it shall be provided by the party producing the electronic record in a separate storage media.

4. Upon the receipt of the electronic record, the hash value thereof shall be verified by the Registry and the electronic record shall be transferred forthwith to the server of the Court following the protocol set out as under:

- Image of the electronic record shall be received only by the authorized personnel.
- Image of the electronic record shall be accompanied by a memo (Form A) by the party tendering it.
- There shall be a dedicated server for receipt and storage of electronic records with clearly specified access rights.
- A standardized procedure, as reviewed and updated from time to time, shall be followed for the verification of the details mentioned in the memo accompanying the electronic record.
- The file structure of the electronic record based on the case number and the unique reference number shall be generated through the software. For example, Case Number Unique Reference Number of the Electronic Record.
- An acknowledgement depicting the unique reference number assigned to the electronic record shall be given to the party tendering the electronic record.

- No electronic record in auto-erase mode shall be received. Every electronic record will be preserved in read-only mode.

- A backup shall be created simultaneously of each electronic record after assignment of the unique reference number and the backup shall be stored at a separate location.

- Logs shall be maintained for all actions and the entire process shall be automated.

5. Where confidentiality is sought in respect of the whole or any part of the electronic record, directions may be sought from the Court concerned.

6. The extant rules (of the Court concerned) regarding retention and production of original documents will apply mutatis mutandis to electronic records produced in terms of these rules.

7. Upon verification and transfer, a unique number will be assigned to the electronic record by the Registry. Such a unique number shall be made available to the person tendering such electronic record.

8. After a unique number is assigned, the storage media will be returned to the party/counsel concerned.

9. A separate register in the prescribed format shall be maintained in every Court or Court complex as the case may be, of the electronic records received, verified and transferred to the server.

10. Till such time the electronic record is transferred to the server and returned to the person tendering it, the storage device containing the electronic record should be placed in antistatic and magnetic proof or another such appropriate envelope, to be provided by the party. Such envelope will be appropriately labelled, by the party with the details of the case and the electronic record in the manner indicated below:

- The storage media containing the electronic record will be tendered in an appropriate envelope or cover.
- The envelope or cover should be free of dust, grease and chemical pollutants and kept in a sterile environment.
- As far as possible:

- o The appropriate size of the envelope would be 6" x 6" for pen drives and memory cards; 7" x 10" for CD, DVD and 8" x 10" for hard disks.
- o Electronic record should always be packed in anti-static packing and magnetic proof. Only paper or cardboard should be used with a thin water/dustproof plastic layer on the outside of the envelope.
- o A master envelope may be used to hold multiple disks (packed in separate hard plastic cases) if necessary.
- The Label affixed thereupon, should necessarily include the case details, type, make and Sr. No. of the electronic storage media along with the name of the party or the person tendering it.

Such envelope should be kept in a sterile environment. After the electronic record is transferred as per the protocol hereinabove, the envelope will be returned along with the storage media. In any event, the storage media and the envelope will not be retained beyond one week, unless otherwise ordered by the Court.

11. The Registry shall maintain logs documenting all processes and protocols for electronic records created in the normal course of business.

12. The court concerned will display on the website the list of the operating systems and the softwares available in the court system. Guidance notes will be uploaded on the websites of the High Court and District Courts.

13. Only authorized personnel shall have access to electronic records.

14. These rules/guidelines do not deal with the destruction of electronic records or devices which have not been collected under clause 11. These will be governed by the rules framed by the Court concerned for that purpose, as the case may be.

15. These rules will apply also to the production of electronic records during the cross-examination of a witness in the course of the trial.

FORM A

MEMO TO BE ATTACHED TO THE ELECTRONIC RECORD

Name of the Court – Case No. –

Cause Title of the Case –

The party producing the electronic record and name of person tendering it	
Description (Brand name, Serial number, etc.), if any, of storage media (whether CD/DVD/Pen Drive etc.)	
Operating System and Software/Application required to view/read the electronic record	
Number of files and size of each as contained in the storage media	
Duration of each file in HH:MM:SS (in case of audio/video file)	
The date on which data was stored or copied on said storage media (DD:MM:YY)	
Name of person/agency, if any, which extracted and transferred Electronic Record	
Hash Function used (SHA-2/MD5 and/or any other media notified from time to time) and software used to generate the hash value	
Hash Value	
Description of the device from which such electronic record was extracted and transferred (Brand name/Serial number/IMEI number, etc.)	

Any other particulars	
Date - Place -	Party (Name & Signature) - Counsel (Name & Signature)
FOR OFFICE USE ONLY	
Date of receipt (with time):	
If the record is produced in sealed cover from an agency, description of seal:	
Date of Transfer to the server (with time):	
Reasons for delay in transfer (if any):	
Unique Document ID No. (to be filled by the Registry):	
Verified and transferred by: (Name, designation, signature)	
RETURN OF STORAGE MEDIA	
Date of return of the storage media after the transfer of the electronic record to the server	
Name and signature (with date) of party/counsel to whom returned	

APPENDIX –VIII

PROTOCOL TO BE FOLLOWED FOR THE MARKING OF ELECTRONIC RECORDS AS EXHIBITS DURING TRIAL

1. Image of the electronic record shall be retrieved from the server of the Court during the stage of trial after verifying its authenticity with reference to its hash value and metadata.

2. Where an electronic record is printable, its print out shall be marked as an exhibit as per applicable rules and practices. This print out so marked as an exhibit be scanned, electronically signed by the Judge and uploaded on to the Court server as the exhibited electronic record.

3. Where the image of the electronic record is in the form of an audio recording of a conversation, the parties concerned shall produce transcripts of the recorded conversation. The transcripts must bear all material particulars including the date, time and duration of the recordings, the mobile phone numbers with IMEI numbers of the handsets used and the names of the purported conversationalists. The audio recording shall be played in the Court. The matching transcript of such audio recording will be marked as an exhibit as per applicable rules and practices. The exhibited transcript of the audio recording will be scanned, electronically signed by the Judge and uploaded on to the Court server as the exhibited electronic record.

4. Where the image of the electronic record is in the form of an audio recording of a music clip, tune, etc. The audio file may be accessed with the help of prescribed 'audio file visualiser' software for viewing and analysing the contents of music audio files; for viewing their waveforms, audio visualisations such as spectrogram views, with interactive adjustment of display parameters. The relevant portion(s) of the audio data may be annotated by adding labelled time points and defining segments, point values, curves, overlay annotations on top of one another with aligned scales, and overlay annotations on top of waveform or spectrogram views, etc.;

5. Where the image of the electronic record is in the form of a video recording, the same shall be played in the Court. The proceeding of the Court in which the video record is played, statement of the witness including cross examination in respect of any part of the video record shall be video recorded to form part of the record of the trial. This video recorded deposition of the witness be treated as an exhibit. The Court in its order sheet must record in detail the persons identified by the witness and any other material aspect of the deposition/cross-examination concerning all/any part of the video record played in the Court. Time frame in the video be also mentioned in the order, wherever required.

HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

Notification

Rule/P. 1603/2022

The Hon'ble the Chief Justice and the Judges of the High Court of Judicature at Bombay in exercise of powers conferred under Article 225 and 227 of the Constitution of India and all other enabling provisions, are pleased to make the following rules:—

Chapter I – Preliminary

1. These Rules shall be called the "High Court of Bombay Rules for Video Conferencing for Courts 2022".

(i) These Rules shall apply to such Courts or proceedings or classes of Courts or proceedings and on and from such date as the High Court may notify in this behalf.

2. *Definitions.*— In these Rules, unless the context otherwise requires:

i. "Advocate" means and includes an advocate entered in any roll maintained under the provisions of the Advocates Act, 1961 and shall also include government pleaders/advocates and officers of the department of prosecution.

ii. "Commissioner" means a person appointed as commissioner under the provisions of Code of Civil Procedure, 1908, or the Code of Criminal Procedure, 1973, or any other law in force.

iii. "Coordinator" means a person nominated as coordinator under Rule 5.

iv. "Court" includes a physical Court and a virtual Court or tribunal.

v. "Court Point" means the Courtroom or one or more places where the Court is physically convened, or the place where a Commissioner or an inquiring officer holds proceedings pursuant to the directions of the Court.

vi. "Court User" means a user participating in Court proceedings through video conferencing at a Court Point.

vii. "Designated Video Conferencing Software" means software provided by the High Court from time to time to conduct video conferencing.

viii. "Exceptional circumstances" include illustratively a pandemic, natural calamities, circumstances involving law and order and matters relating to the safety of the accused and witnesses.

ix. "Live Link" means and includes a live television link, audio-video electronic means or other arrangements whereby a witness, a required person or any other person permitted to remain present, while physically absent from the Courtroom is nevertheless virtually present in the Courtroom by remote communication using technology to give evidence and be cross-examined.

x. "Remote Point" is a place where any person or persons are required to be present or appear through a video link.

xi. "Remote User" means a user participating in Court proceedings through video conferencing at a Remote Point.

xii. "Required Person" includes:

a. the person who is to be examined;
or

b. the person in whose presence certain proceedings are to be recorded or conducted; or

c. an Advocate or a party in person who intends to examine a witness; or

d. any person who is required to make submissions before the Court; or

e. any other person who is permitted by the Court to appear through video conferencing.

xiii. "Rules" shall mean these Rules for Video Conferencing for Courts and any reference to a Rule, Sub-Rule or Schedule shall be a reference to a Rule, Sub-Rule or Schedule of these Rules.

Chapter II - General Principles

3. General Principles Governing Video Conferencing

i. Video conferencing facilities may be used at all stages of judicial proceedings conducted by the Court.

ii. All proceedings conducted by a Court by way of video conferencing shall be judicial proceedings and all the courtesies and protocols applicable to a physical Court shall apply to these virtual proceedings. The protocol provided in Schedule I shall be adhered to for proceedings conducted by way of video conferencing.

iii. All relevant statutory provisions applicable to judicial proceedings including provisions of the Code of Civil Procedure, Code of Criminal Procedure, Contempt of Courts Act, 1971, Indian Evidence Act, 1872 (abbreviated hereafter as the Evidence Act), Information Technology Act, 2000 (abbreviated hereafter as the IT Act) and relevant State Acts and Rules and amendments shall apply to proceedings conducted by video conferencing.

iv. Subject to maintaining independence, impartiality and credibility of judicial proceedings, and subject to such directions as the High Court may issue, Courts may adopt such technological advances as may become available from time to time.

v. The Rules as applicable to a Court shall *mutatis mutandis* apply to a Commissioner appointed by the Court to record evidence and to an inquiry officer conducting an inquiry.

vi. There shall be no unauthorised recording of the proceedings by any person or entity.

vii. The person defined in Rule 2(xii) shall provide identity proof as recognised by the Government of India/State Government/ Union Territory to the Court point coordinator via personal email. In case identity proof is not readily available, the

person concerned shall furnish the following personal details such as, name, parentage, telephone number, permanent address and temporary address if any.

4. Facilities recommended for Video Conferencing

The following equipment is recommended for conducting proceedings by video conferencing at the Court Point and the Remote Point:

i. Desktop, laptop, mobile devices connected to the internet and printer;

ii. Device ensuring uninterrupted power supply;

iii. Camera;

iv. Microphones and speakers;

v. Display unit;

vi. Document visualizer;

vii. Provision of a firewall;

viii. Adequate seating arrangements ensuring privacy;

ix. Adequate lighting; and

x. Availability of a quiet and secure space.

5. Preparatory Arrangements

5.1 There shall be a Coordinator both at the Court Point and at the Remote Point from which any Required Person is to be examined or heard. However, Coordinator may be required at the Remote Point only when a witness or a person accused of an offence is to be examined.

5.2 In the civil and criminal Courts falling within the purview of the district judiciary, persons nominated by the High Court or the concerned District Judge, shall perform the functions of Coordinators at the Court Point as well as the Remote Point as provided in Rule 5.3.

5.3 The Coordinator at the Remote Point may be any of the following:

Sub Rule	Where the Advocate or Required Person is at the following Remote Point	The Remote Point Coordinator shall be
5.3.1	Overseas	An official of an Indian Consulate/the relevant Indian Embassy/the relevant High Commission of India. In criminal cases Guidelines on Mutual Legal Assistance in Criminal Matters issued by the Ministry of Home Affairs shall be followed to the extent applicable.
5.3.2	Court of another State or Union Territory within the Territory of India	Any authorized official nominated by the concerned District Judge.
5.3.3	Mediation Centre or office of District Legal Services Authority (including Taluka Legal Services Committee)	Any authorized person official nominated by the Chairperson or Secretary of the concerned District Legal Services Authority.
5.3.4	Jail or prison	The concerned Jail Superintendent or Officer in-charge of the prison.
5.3.5	Hospitals administered by the Central Government, the State Government or local bodies	Medical Superintendent or an official authorized by them or the person in charge of the said hospital.
5.3.6	Observation Home, Special Home, Children's Home, Shelter Home, or any institution referred to as a child facility (collectively referred to as child facilities) and where the Required Person is a juvenile or a child or a person who is an inmate of such child facility.	The Superintendent or Officer in-charge of that child facility or an official authorized by them.
5.3.7	Women's Rescue Homes, Protection Homes, Shelter Homes, Nari Niketans or any institution referred to as a women's facility (collectively referred to as women's facilities).	The Superintendent or Officers In-charge of the women's facility or an official authorized by them.
5.3.8	In custody, care or employment of any other government office, organization or institution (collectively referred to as institutional facilities).	The Superintendent or Officers in-charge of the institutional facility or an official authorized by them.
5.3.9	Forensic Science Lab	The Administrative officer in-charge or their nominee.
5.3.10	In case of any other location	The concerned Court may appoint any person deemed fit and proper who is ready and willing to render their services as a Coordinator to ensure that the proceedings are conducted in a fair, impartial and independent manner and according to the directions issued by the Court in that behalf.

5.4 Notwithstanding the provisions of Clause 5.3.1, where witness examination is to take place in a criminal case of a person located outside the country, the provisions of the "Comprehensive Guidelines for investigation abroad and issue of Letters Rogatory (LRs)/Mutual Legal Assistance (MLA) Request and Service of Summons/Notices/Judicial documents in respect of Criminal Matters" (available at http://164.100.117.97/WriteReadData/userfiles/ISII_ComprehensiveGuidelinesMutualLegalAssistance_17122019.pdf) will be followed to the extent they comport with the provisions of the Code of Criminal Procedure and the Evidence Act. Furthermore, before the Court employs its discretion to carry out witness examination via video conference, it will obtain the consent of the accused.

5.5 Where a person to be served or examined in a criminal matter is residing abroad, the provisions of the "Comprehensive Guidelines for investigation abroad and issue of Letters Rogatory (LRs)/Mutual Legal Assistance (MLA) Request and Service of Summons/Notices/ Judicial documents in respect of Criminal Matters" as amended from time to time shall be followed to the extent they comply with the provisions of the Code of Criminal Procedure and the Evidence Act.

5.6 When a Required Person is at any of the Remote Points mentioned in Sub Rules 5.3 and video conferencing facilities are not available at any of these places the concerned Court will formally request the District Judge, in whose jurisdiction the Remote Point is situated to appoint a Coordinator for and to provide a video conferencing facility from proximate and suitable Court premises.

5.7 The Coordinators at both the Court Point and Remote Point shall ensure that the recommended requirements set out in Rule 4 are complied with, so that the proceedings are conducted seamlessly.

5.8 The Coordinator at the Remote Point shall ensure that:

5.8.1 All Advocates and/or Required Persons scheduled to appear in a particular proceeding are ready at the Remote Point designated for video conferencing at least 30 minutes before the scheduled time.

5.8.2 No unauthorised recording device is used.

5.8.3 No unauthorised person enters the video conference room when the video conference is in progress.

5.8.4 The person being examined is not prompted, tutored, coaxed, induced or coerced in any manner by any person and that the person being examined does not refer to any document, script or device without the permission of the concerned Court during the course of examination.

5.9 Where the witness to be examined through video conferencing requires or if it is otherwise expedient to do so, the Court shall give sufficient notice in advance, setting out the schedule of video conferencing and in appropriate cases may transmit non-editable digital scanned copies of all or any part of the record of the proceedings to the official email account of the Coordinator of the concerned Remote Point designated in accordance with Rule 5.3.

5.10 Before the scheduled video conferencing date, the Coordinator at the Court Point shall ensure that the Coordinator at the Remote Point receives certified copies, printouts or a soft copy of the non-editable scanned copies of all or any part of the record of proceedings which may be required for recording statements or evidence, or for reference. However, these shall be permitted to be used by the Required Person only with the permission of the Court.

5.11 Whenever required the Court shall order the Coordinator at the Remote Point or the Court Point to provide

5.11.1 A translator in case the person to be examined is not conversant with the official language of the Court.

5.11.2 An expert in sign languages in case the person to be examined is impaired in speech and/or hearing.

5.11.3 An interpreter or a special educator, as the case may be, in case a person to be examined is differently abled, either temporarily or permanently.

Chapter III - Procedure for Video Conferencing

6. Application for Appearance, Evidence and Submission by Video Conferencing:

6.1 Any party to the proceeding or witness, save and except where proceedings are initiated at the instance of the Court, may move a request for video conferencing. A party or witness seeking a video conferencing proceeding shall do so by making a request in the form prescribed in Schedule II.

6.2 Any proposal to move a request for video conferencing should first be discussed with the other party or parties to the proceeding, except where it is not possible or inappropriate, for example in cases such as urgent applications.

6.3 On receipt of such a request and after giving an opportunity to the concerned persons, the Court will pass an appropriate order after ascertaining that the application is not filed with an intention to impede a fair trial or to delay the proceedings.

6.4 While allowing a request for video conferencing, the Court may also fix the schedule for convening the video conferencing.

6.5 In case the video conferencing event is convened for making oral submissions, the order may require the Advocate or party in person to submit written arguments and precedents, if any, in advance on the official email ID of the concerned Court.

6.6 Costs, if directed to be paid, shall be deposited within the prescribed time, commencing from the date on which the order convening proceedings through video conferencing is received.

7. Service of Summons

Summons issued to a witness who is to be examined through video conferencing, shall mention the date, time and venue of the concerned Remote Point and shall direct the witness to attend in person along with proof of identity or an affidavit to that effect. The existing rules regarding service of summons and the consequences for non-attendance, as provided in the Code of Civil Procedure and Code of Criminal Procedure shall apply with respect to service of summons for proceedings conducted by video conferencing. In criminal cases Part IV: Service of Summons, Notices and Judicial Processes of the Guidelines on Mutual Legal Assistance in Criminal Matters issued by the Ministry of Home Affairs shall be followed to the extent applicable.

7.1. Furthermore in respect of service of summons on witnesses residing outside the country, concerning criminal matters, the provisions of "Comprehensive Guidelines for investigation abroad and issue of Letters Rogatory (LRs)/Mutual Legal Assistance (MLA) Request and Service of Summons/Notices/Judicial documents in respect of Criminal Matters" (available at http://164.100.117.97/WriteReadData/userfiles/ISII_ComprehensiveGuidelinesMutualLegalAssistance_17122019.pdf) will be followed to the extent they comport with the provisions of the Code of Criminal Procedure and the extant laws.

8. Examination of persons

8.1 Any person being examined, including a witness shall, before being examined through video conferencing, produce and file proof of identity by submitting an identity document issued or duly recognized by the Government of India, State Government, Union Territory,

or in the absence of such a document, an affidavit attested by any of the authorities referred to in section 139 of the Code of Civil Procedure or section 297 of the Code of Criminal Procedure, as the case may be. The affidavit will *inter alia* state that the person, who is shown to be the party to the proceedings or as a witness, is the same person, who is to depose at the virtual hearing. A copy of the proof of identity or affidavit, as the case may be, will be made available to the opposite party.

8.2 The person being examined will ordinarily be examined during the working hours of the concerned Court or at such time as the Court may deem fit. The oath will be administered to the person being examined by the Coordinator at the Court Point.

8.3 Where the person being examined, or the accused to be tried, is in custody, the statement or, as the case may be, the testimony, may be recorded through video conferencing. The Court shall provide adequate opportunity to the under trial prisoner to consult in privacy with their counsel before, during and after the video conferencing.

8.4 Subject to the provisions for examination of witnesses contained in the Evidence Act, before the examination of the witness, the documents, if any, sought to be relied upon shall be transmitted by the applicant to the witness, so that the witness acquires familiarity with the said documents. The applicant will file an acknowledgment with the Court in this behalf.

8.5 If a person is examined with reference to a particular document then the summons to witness must be accompanied by a duly certified photocopy of the document. The original document should be exhibited at the Court Point in accordance with the deposition of the concerned person being examined.

8.6 The Court would be at liberty to record the demeanour of the person being examined.

8.7 The Court will note the objections raised during the deposition of the person being examined and rule on them.

8.8 The Court shall obtain the signature of the person being examined on the transcript once the examination is concluded. The signed transcript will form part of the record of the judicial proceedings. The signature on the transcript of the person being examined shall be obtained in either of the following ways:

8.8.1 If Digital Signatures are available at both the Court Point and Remote Point, the soft copy of the transcript digitally signed by the presiding Judge at the Court Point shall be treated as the original deposition and shall be sent by the official email to the Remote Point where a print out of the same will be taken and signed by the person being examined. A scanned copy of the transcript so signed shall then be digitally signed by the Coordinator at the Remote Point and would be transmitted by official email to the Court Point. The hard copy of the signed transcript will be dispatched after the testimony is over, preferably within three days by the Coordinator at the Remote Point to the Court Point by recognised courier/registered speed post.

8.8.2 If Digital Signatures are not available, the printout of the transcript shall be signed by the presiding Judge and the authorised representative of the parties, if any, at the Court Point and shall be sent in non-editable scanned format to the official email account of the Remote Point, where a printout of the same will be taken and signed by the person examined and countersigned by the Coordinator at the Remote Point. A non-editable scanned format of the transcript so signed shall be sent by the Coordinator of the Remote Point to the official email account of the Court Point, where a printout of the same will be taken and shall also be made a part of

the judicial record. The hard copy would also be dispatched preferably within three days by the Coordinator at the Remote Point to the Court Point by recognised courier/registered speed post.

8.9 An audio-visual recording of the examination of person examined shall be preserved as prescribed. An encrypted master copy with hash value shall be retained as a part of the record.

8.10 The Court may, at the request of a person to be examined, or on its own motion, taking into account the best interests of the person to be examined, direct appropriate measures to protect the privacy of the person examined bearing in mind aspects such as age, gender, physical condition and recognized customs and practices.

8.11 The Coordinator at the Remote Point shall ensure that no person is present at the Remote Point, save and except the person being examined and those whose presence is deemed administratively necessary by the Coordinator for the proceedings to continue.

8.12 The Court may also impose such other conditions as are necessary in a given set of facts for effective recording of the examination (especially to ensure compliance with Rule 5.7).

8.13 The examination shall, as far as practicable, proceed without interruption or the grant of unnecessary adjournments. However, the Court or the Commissioner as the case may be, will be at liberty to determine whether an adjournment should be granted, and if so, on what terms.

8.14 The Court shall be guided by the provisions of the Code of Civil Procedure, Chapter XXIII and Part B of the Code of Criminal Procedure, the Evidence Act and the IT Act while examining a person through video conferencing.

8.15 Where a Required Person is not capable of reaching the Court Point or the

Remote Point due to sickness or physical infirmity, or presence of the required person cannot be secured without undue delay or expense, the Court may authorize the conduct of video conferencing from the place at which such person is located. In such circumstances, the Court may direct the use of portable video conferencing systems. Authority in this behalf may be given to the concerned Coordinator and/or any person deemed fit by the Court.

8.16 Subject to such orders as the Court may pass, in case any party or person authorized by the party is desirous of being physically present at the Remote Point at the time of recording of the testimony, such a party shall make its own arrangement for appearance/representation at the Remote Point.

9. Exhibiting or Showing Documents to Witness or Accused at a Remote Point

If in the course of examination of a person at a Remote Point by video conferencing, it is necessary to show a document to the person, the Court may permit the document to be shown in the following manner:

9.1 If the document is at the Court Point, by transmitting a copy or image of the document to the Remote Point electronically, including through a document visualizer; or

9.2 If the document is at the Remote Point, by putting it to the person and transmitting a copy/image of the same to the Court Point electronically including through a document visualizer. The hard copy of the document countersigned by the witness and the Coordinator at the Remote Point shall be dispatched thereafter to the Court Point via authorized courier/registered speed post.

10. Ensuring seamless video conferencing

10.1 The Advocate or Required Person shall address the Court by video conferencing from a specified Remote Point on the date and time specified in the order issued by the Court. The presence of the

coordinator will not be necessary at the Remote point where arguments are to be addressed by an advocate or party in person before the Court.

10.2 If the proceedings are carried out from any of the Remote Point(s) (in situations described in Rules 5.3.1 to 5.3.9), the Coordinator at such Remote Point shall ensure compliance of all technical requirements. However, if the proceedings are conducted from a Remote Point falling in the situation contemplated under Rule 5.3.10, such as an Advocate's office, the Coordinator at the Court Point shall confirm compliance with all technical requirements for conducting video conferencing at both the Court Point and the Remote Point.

10.3 The Coordinator at the Court Point shall be in contact with the concerned Advocate or the Required Person and guide them in regard to the fulfillment of technical and other requirements for executing a successful hearing through video conferencing. Any problems faced by such Remote Users shall be resolved by the Coordinator. The Court Point Coordinator shall *inter alia* share the link of the video conferencing hearing with such Remote Users.

10.4 The Coordinator at the Court Point shall ensure that any document or audio visual files, emailed by the Remote User, are duly received at the Court Point.

10.5 The Coordinator at the Court Point shall also test video conferencing facility, preferably 30 minutes prior to scheduled video conferencing in order to ensure that all the technical systems are in working condition at both the Court Point and the Remote Point.

10.6 At the scheduled time, the Coordinator at the Court Point shall connect the Remote User to the Court.

10.7 On completion of the video conferencing proceeding, the Court shall mention in the order sheet the time and duration of the proceeding, the software

used (in case the software used is not the Designated Video Conferencing Software), the issue(s) on which the Court was addressed and the documents if any that were produced and transmitted online. In case a digital recording is tendered, the Court shall record its duration in the order sheet along with all other requisite details.

10.8 The Court shall also record its satisfaction as to clarity, sound and connectivity for both Court Users and Remote Users.

10.9 If a Remote User is of the opinion that they were prejudiced due to poor video and/or audio quality, the Remote User shall immediately inform the Coordinator at the Court Point, who shall in turn, communicate this information to the Court without any delay. The Court shall consider the grievance and if it finds substance in the grievance may declare the hearing to be incomplete and the parties may be asked to reconnect or make a physical appearance in Court.

11. Judicial remand, framing of charge, examination of accused and Proceedings under section 164 of the Code of Criminal Procedure

11.1 The Court may, at its discretion, authorize detention of an accused, frame charges in a criminal trial under the Code of Criminal Procedure by video conferencing. However, ordinarily judicial remand in the first instance or police remand shall not be granted through video conferencing save and except in exceptional circumstances for reasons to be recorded in writing.

11.2 The Court may, in exceptional circumstances, for reasons to be recorded in writing, examine a witness or an accused under section 164 of the Code of Criminal Procedure or record the statement of the accused under Section 313 of Code of Criminal Procedure through video conferencing, while observing all due precautions to ensure that the witness or the accused as the case may be is free of

any form of coercion, threat or undue influence. The Court shall ensure compliance with section 26 of the Evidence Act.

Chapter IV - General Procedure

12. General Procedure

12.1 The procedure set out hereafter in this chapter is without prejudice to the procedure indicated elsewhere in these Rules qua specific instances in which proceedings are conducted via video conferencing.

12.2 The Coordinator at the Court Point shall ensure that video conferencing is conducted only through a Designated Video Conferencing Software. However, in the event of a technical glitch during a given proceeding, the concerned Court may for reasons to be recorded permit the use of a software other than the Designated Video Conferencing Software for video conferencing in that particular proceeding.

12.3 The identity of the person to be examined shall be confirmed by the Court with the assistance of the Coordinator at the Remote Point in accordance with Rule 8.1, at the time of recording of the evidence and the same must be reflected in the order sheet of the Court.

12.4 In civil cases, parties requesting for recording statements of the person to be examined by video conferencing shall confirm to the Court, the location of the person, the willingness of such person to be examined through video conferencing and the availability of technical facilities for video conferencing at the agreed time and place.

12.5 In criminal cases, where the person to be examined is a prosecution witness or a Court witness, or where a person to be examined is a defence witness, the counsel for the prosecution or defence counsel, as the case may be, shall confirm to the Court the location of the person, willingness to be examined by video conferencing and the time, place and technical facility for such video conferencing.

12.6 In case the person to be examined is an accused, the prosecution will confirm the location of the accused at the Remote Point.

12.7 Video conferencing shall ordinarily take place during the Court hours. However, the Court may pass suitable directions concerning the timing and schedule of video conferencing as the circumstances may warrant.

12.8 If the accused is in custody and not present at the Court Point, the Court will order a multi-point video conference between itself, the witness and the accused in custody to facilitate recording of the statement of the witness (including medical or other expert). The Court shall ensure that the defence of the accused is not prejudiced in any manner and that the safeguards contained in Rule 8.3 are observed.

12.9 The Coordinator at the Remote Point shall be paid such amount as honorarium as may be directed by the Court in consultation with the parties.

13. Costs of Video Conferencing

In the absence of rules prescribed by the concerned Court, the Court may take into consideration following circumstances while determining and/or apportioning the costs of video conferencing:

13.1 In criminal cases, the expenses of the video conferencing facility including expenses involved in preparing soft copies/certified copies of the Court record and transmitting the same to the Coordinator at the Remote Point, and the fee payable to translator/interpreter/special educator, as the case may be, as also the fee payable to the Coordinator at the Remote Point, shall be borne by such party as directed by the Court.

13.2 In civil cases, generally, the party making the request for recording evidence, through video conferencing shall bear the expenses.

13.3 Besides the above, the Court may also make an order as to expenses as it

considers appropriate, taking into account rules/instructions regarding payment of expenses to the complainant and witnesses, as may be prevalent from time to time.

13.4 It shall be open to the Court to waive the costs as warranted in a given situation.

14. *Conduct of Proceedings*

14.1 All Advocates, Required Persons, the party in person and/or any other person permitted by the Court to remain physically or virtually present (hereinafter collectively referred to as participants) shall abide by the requirements set out in Schedule I. The High Court may issue such special or general directions, not inconsistent with the Rules, to supplement the Schedule.

14.2 Before the commencement of video conferencing all participants, shall have their presence recorded. However, in case a participant is desirous that their face or name be masked, information to that effect will be furnished to the Court Point Coordinator prior to the commencement of the proceeding.

14.3 The Court Point Coordinator shall send the link/Meeting ID/ Room Details to the email Id/mobile number furnished by the Advocate or Required Person or other participant permitted to be virtually present by the Court. Once the proceedings have commenced, no other persons will be permitted to participate in the virtual hearing, save and except with the permission of the Court.

14.4 The participants, after joining the hearing shall remain in the virtual lobby if available, until they are admitted to virtual hearing by the Coordinator at the Court Point.

14.5 Participation in the proceedings shall constitute consent by the participants to the proceedings being recorded by video conferencing.

14.6 Establishment and disconnection of links between the Court Point and the Remote Point would be regulated by orders of the Court.

14.7 The Court shall satisfy itself that the Advocate, Required Person or any other

participant that the Court deems necessary at the Remote Point or the Court Point can be seen and heard clearly and can clearly see and hear the Court.

14.8 To ensure that video conferencing is conducted seamlessly, the difficulties, if any, experienced in connectivity must be brought to the notice of the Court at the earliest on the official email address and mobile number of the Court Point Coordinator which has been furnished to the participant before the commencement of the virtual hearing. No complaint shall subsequently be entertained.

14.9 Wherever any proceeding is carried out by the Court under these Rules by taking recourse to video conferencing, this shall specifically be mentioned in the order sheet.

14.10 Any Advocate/party who behaves in a manner that disturbs seamless conduct of the Video Conference hearing is liable to be removed from the hearing and re-entry of such person may be prohibited.

15. *Access to Legal Aid Clinics/Camps/Lok Adalats/Jail Adalats*

15.1 In conformity with the provisions of the Legal Services Authorities Act, 1987 and the laws in force, in proceedings related to Legal Aid Clinics, Camps, Lok Adalats or Jail Adalats, any person who at the Remote Point is in Jail or Prison shall be examined by the Chairman/ Secretary of the District Legal Service Authority or Taluka Legal Service Committee or Members of Lok Adalats before passing any award or orders in accordance with law.

15.2 Such award or order shall have the same force as if it was passed by the regular Lok Adalat or Jail Adalat.

15.3 Copy of the award or order and the record of proceedings shall be sent to the Remote Point.

16. *Allowing persons who are not parties to the case to view the proceedings*

16.1 In order to observe the requirement of an open Court proceeding, members of

the public will be allowed to view Court hearings conducted through video conferencing, except proceedings ordered for reasons recorded in writing to be conducted in-camera. The Court shall endeavour to make available sufficient links (consistent with available bandwidth) for accessing the proceedings.

16.2 Where, for any reason, a person unconnected with the case is present at the Remote Point, that person shall be identified by the Coordinator at the Remote Point at the start of the proceedings and the purpose of the presence of that person shall be conveyed to the Court. Such a person shall continue to remain present only if ordered so by the Court.

Chapter V – Miscellaneous

17. *Reference to Words and Expressions*

Words and expressions used and not defined in these Rules shall have the same meaning as assigned to them in the Code of Civil Procedure, the Code of Criminal Procedure, Evidence Act, IT Act and the General Clauses Act, 1897.

17.1 Power to Relax

The High Court may if satisfied that the operation of any Rule is causing undue hardship, by an order dispense with or relax the requirements of that Rule to such extent and subject to such conditions, as may be stipulated to deal with the case in a just and equitable manner.

17.2 Residual Provisions

Matters with respect to which no express provision has been made in these Rules, shall be decided by the Court to further the interests of justice.

HIGH COURT OF
JUDICATURE AT BOMBAY

R. N. Joshi

Date: 4th January, 2023 Registrar General.

SCHEDULE – I

1. All participants shall wear sober attire consistent with the dignity of the proceedings or such attire as may be permissible.

Advocates shall be appropriately dressed in professional attire prescribed under the Advocates Act, 1961. Police officials shall appear in the uniform prescribed for police officials under the relevant statute or orders. The attire for judicial officers and Court staff will be as specified in the relevant rules prescribed in that behalf by the High Court. The decision of the Presiding Judge or officer as to the dress code will be final.

2. Proceedings shall be conducted at the appointed date and time. Punctuality shall be scrupulously observed.

3. The case will be called out and appearances shall be recorded on the direction of the Court.

4. All participants who log in shall ensure that they are identifiable by their individual names.

5. Every participant shall adhere to the courtesies and protocol that are followed in a physical Court.

6. All participants shall configure their devices to facilitate efficient conduct of proceedings such as keeping the microphones muted at all times till they are called upon to make submissions.

7. Remote Users shall ensure that their devices are free from malware.

8. Remote Users and the Coordinator at the Remote Point shall ensure that the Remote Point is situated in a quiet location, is properly secured and has sufficient internet coverage. Any unwarranted disturbance caused during video conferencing may if the Presiding Judge so directs render the proceedings non-est.

9. All participants' cell phones shall remain in silent mode during the proceedings.

10. All participants should endeavour to look into the camera, remain attentive and not engage in any other activity during the course of the proceedings.

SCHEDULE II

Request Form for Video Conference

1. Case Number /CNR Number (if any) : _____
2. Cause Title : _____
3. Proposed Date of conference (DD/MM/YYYY) : _____
4. Location of the Court Point(s) : _____
5. Location of the Remote Point(s) : _____
6. Names & Designation of the Participants at the Remote Point : _____
7. Reasons for Video Conferencing :

In the matter of :

8. Nature of Proceedings : Final Hearing Motion Hearing Others

I have read and understood the provisions of Rules for Video Conferencing for Courts ([hyperlink](#)). I undertake to remain bound by the same to the extent applicable to me. I agree to pay video conferencing charges if so, directed by the Court.

Signature of the applicant/authorised signatory:

Date:

For use of the Registry/Court Point Coordinator

A. Bench assigned:

B. Hearing:

Held on (DD/MM/YYYY) :

Commencement Time :

End time :

Number of hours :

C. Costs :

Overseas transmission charges if any:

To be Incurred by Applicant/Respondent:

To be shared equally:

Waived; as ordered by the Court:

Signature of the authorised officer:

Date:

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